

The
LAND
of
LAST
CHANCE

by
George
Washington
Ogden

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First Edition

THE LAND OF LAST CHANCE



JUST BEFORE THE MAD RUSH OVER THE BORDER.

THE LAND OF LAST CHANCE

BY
G. W. OGDEN

AUTHOR OF
THE RUSTLER OF WIND RIVER, ETC.

FRONTISPIECE BY
P. V. E. IVORY



GROSSET & DUNLAP
PUBLISHERS' NEW YORK

65625

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1919

Published September, 1919

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THE LAND OF LAST CHANCE

CHAPTER I

ON THE BORDER

CAMP fires were thick as the stars above them on the northern border of Oklahoma that heavy April night. All day it had been murky, with capricious dashes of rain, but with sunset a strong wind had swept the sky clear of clouds like a thrifty woman setting her house in order for some notable event. It was a cheering omen to the thousands waiting there for noon of tomorrow, when the barriers upon the border of the new land were to be thrown open, giving them free sweep to rush into its unpeopled leagues and choose their homes. The greatest gift-box in the history of the nation was to be opened to the adventurers who had gathered there from its most distant confines.

Four days past the line of soldiers guarding the Kansas border had been withdrawn across the Cherokee Outlet, or "Strip," as it was called locally. With that removal the multitudes which had assembled there had been permitted to proceed southward, to come to the Oklahoma line for the opening day. Across the sixty miles of Cherokee country not included in the opening they had come hastening, following the old cattle trails. This night they lay camped along the line with one foot forward for the final leap.

These adventurers in the great lottery where every prize was a home, stood face to face now with the last barrier

that separated them from their hopes — the line of troopers which formed an unbroken patrol around the borders of that yet forbidden land. Worn by their journey and weary in the sickness of deferred hope, they waited the last night out, their fires, spread like the lights of a city, guiding late-comers and the handicapped and heavy-laden to the end of their last laborious stage.

While an army in numbers waited there in the night, little noise rose out of their camps. Now and then a man's harsh voice sounded as he cuffed his weary team; here and there the wavering treble of a child's call, or the shrill word of a woman; now a dog barked in the distance, to be answered and defied by scores of his tribe along the fire-lit front, until the sound of their baying grew faint against the far-off shores of night.

There was no cheery note of whistler; no voice raised in song. Nobody called a hearty word to his neighbor; none shouted to know the hour. All seemed moved by a sly purpose of self-elimination, each believing his post to be advantageous above the man behind him, and fearful, it seemed, that he might be dispossessed of it by somebody through an artful trick if he should discover his location by a sound.

Those arriving after nightfall drew into the light of the first-comers' fires and unhitched their weary horses where they stood, without seeking out any possible comforts of location which the situation might afford. If it chanced to be in a gully, in a gully they lay; or a knoll top, there they stood, their covered wagons dark against the sparkling sky.

But every man and woman in that throng lay down that night in the determination to rise early in the morning and make for themselves a place of equal chance in the line that was to break over the boundary at noon. Most of them

had been waiting a long time at the Kansas border for the expected and long-delayed message of the President fixing the opening day. Many of them had eaten their slim substance in the wait, and now they stood at last with their feet in the door of Oklahoma, ready to make the run on empty bellies into that empty land.

In front of a certain wagon drawn up against the line, along which the cavalryman who passed forward and back on his beat every little while had worn a path, several men were assembled in friendly converse. This amiable gathering seemed to be the one little center of free and open intercourse between man and man along that dark frontier, where the shadow of suspicion clouded the glances which stranger gave stranger as they met and passed.

Some of the men sat along the wagon tongue, propped up by the neck yoke at its end, while the others stood or squatted around the little fire which an elderly man fed from time to time with pieces of a broken box. One who leaned his elbow on the front wheel of the covered wagon — which loomed large and distended out of its true proportions in the half-revealing firelight — spoke.

“I picked up as many of the boys as I could round up, Captain Scott, and brought them down, for I thought maybe we wouldn’t have a chance to see you in the morning. We wanted to give you a little send-off, and wish you luck.”

“I wish you the same, boys, one and all,” said the host.

He stood as he spoke, pushing the box on which he had been sitting back from the fire with his foot. A tall man of judicial aspect, broad shouldered, booted to the knees; a man who seemed to deliberate his words and reserve more than he said, no matter how commonplace the theme. The fire was bright on his weathered face, softened by a cast of

benevolence for all its traces of hardship and lines of severity. His great, bony-bridged nose had a harshness about it like an old, scarred rock; his eyes were in shadows from his heavy, graying brows. His grizzled mustache was cropped short, his cattleman's hat was pushed back from his forehead, where his heavy hair lay gray.

"I was just remarkin' to Cook as we come along," said a black-bearded man at the end of the wagon tongue, "that I don't suppose there's one in five hundred of these people gathered here from everywhere that ever heard tell of Captain David Scott, or knows how much they owe you for what they're about to come into."

"They're welcome to the little service I've done them, if any, and I'm content to remain unknown," said Captain Scott. "I wasn't alone; every man of the old boomer crowd deserves as much credit as I do. You all stood by me and helped drive Congress to the opening at last."

"Yes, but there was times when we got out of heart and lost hope," the whiskered man said. "You was the first and original boomer, and the only man that's rightly entitled to that name, I reckon, when it's sifted down. You was the one man that stood like a rock and never let 'em rest till they put the bill through."

"No use makin' light of the work and the service you've done for the landless of this nation, Dave," the man at the wheel reproved. "Without you them lazy Injuns they'd 'a' been loafin' around down there right now, and the fifty thousand people they say are waitin' to make the run tomorrow they'd 'a' been lookin' for homes somewhere else, most of them never to land on one in this world."

"There are a lot of grafters among them," said Captain Scott, sadly; "they don't all want homes."

"Most of 'em do," the boomer declared. "If you hadn't

kep' after Congress year in and year out, where'd they 'a' been at, or where'd any of us be at, tonight? It's been ten years since Dave began to push Congress to open this country," the man said, laying it off to the line on the wagon tongue. "He was the first man that ever told 'em that if the government allowed cattlemen to graze down there it ought to play a square game and let the farmers plow the ground. I tell you, men, there was—and is—people scratchin' around up there in the flint hills of Missouri where I come from that never put their feet down in their lives without hittin' a rock. And all this land down here goin' to waste!"

"I always said the gover'ment owed every free-borned American citurzen that ain't never been in the penitentiary a quarter-section of land," said a lean man in a red flannel shirt, "accordin' to the law and the Constitution and the customs of the country. But I never could see where mine was at if I couldn't git my foot on a piece of it down here in the Nation."

"That land belonged to the Southwest," said Captain Scott, sweeping his hand in broad gesture toward the South, "to the sons and daughters of the men that broke the trails and went on to their reward in the other world, leaving nothing behind them in this. The pioneers never realized land ever would be scarce away out here; they didn't take the trouble to lay any of it by."

"Well, you got it for us; you done for us what our daddies failed to do, by gunny!" said somebody whose voice ran high and wavering.

"I've been tellin' the boys us old fellers that's been boomin' Oklahoma along with you, Dave, ought to put up a monument to you down here on the line where your wagon stands tonight," said the whiskered man.

Captain Scott shook his head, smiling drily at the suggestion. "The bill that Congress put through opening this country, and the President's proclamation setting the day and hour, will stand as our monument, boys, after our names have been forgotten by the few that ever knew them, and the word 'boomer' has lost its original meaning. I don't want any more out of Oklahoma than any other honest man. If it gives me a home, and a place to lay my bones when I'm done with them, that will be enough for me."

"They tell me a good many sooners are sneakin' in, spite of the watch the soldiers are keepin' on 'em," said one.

"I'm afraid it's true," Captain Scott admitted, his face a shade more serious in the unsteady light. "There's bound to be trouble with those rascals, and plenty of it."

"They ought to be shot on sight!" somebody declared. "I tell you now, if I find one of them sooners on the piece of land I've picked out, I'll shoot first and make my talk afterwards — you hear *me*, men!"

That seemed to express the general sentiment. Several declared their intention of acting in the same effective manner, but Captain Scott said nothing. He stood before the little fire, hands clasped at his back, head bowed.

It developed that most of the "boomers," as these men who had made the organized fight for the opening of Oklahoma were called, were familiar with the country which they were about to invade, and that many of them had made their selections of land. This had been done, in some cases, years before there seemed anything more than hope to proceed upon that the country would be opened to settlement in time. The boomers had been cowboys, freighters, hunters, men of the hundred roving occupations which engaged them when there was a frontier. They had been through and across the country and knew it well, and now the selections

of homesteads they had made in its rich valleys were equal to so much buried treasure.

This selection did not entitle them to the land. They must run for it, and take their chances along with the others who did not know the country as well as they. There were some boomers who, in anticipation of the opening, had invaded the Indian country several years in advance of its day and established homes in the choicest spots. All these who could be found had been removed to the border by the soldiers. Some of them were among those who waited on Captain Scott that night to give him good-bye and good luck.

They got back to the subject of sooners again presently, and one who passed stopped when he heard the name, already contemned and despised.

"The soldiers brought out seventeen of them this morning," he said.

"The soldiers are doing good work, considering their numbers," said Captain Scott. "It will not be their fault if everybody doesn't have a chance tomorrow."

"Yes, but I know of nine men from Texas that have got by the line," the new-comer said, making himself at home in the group. "They've got pump-guns, and they'll fight the soldiers and deputy United States marshals to a standstill before they'll leave. They wanted me to go, but life's too short for all I've got ahead of me without rushin' it along."

The speaker was a tall, dark man, with a ring on his finger that flashed in the firelight. His big mustaches stood like black wings on his thin, sharp face; his clothing was new and neat. There was an air of surety about him, of unlimited confidence in himself, as of a man who had no doubt of his destiny. The veteran boomers ignored him,

rather resenting by their silence his intrusion. Only Scott, in his capacity as host, seemed to feel that any deference was due the stranger at all. He turned to him in gentle courtesy.

"They'll disqualify themselves if they don't come back and take their chance with the rest of us," he said.

"Oh, they'll stand up and swear they made the run when they go to file," the tall man replied, easily. "United States Marshal Bass Kirk's takin' care of Texas sooners, they say—helpin' them to land safe."

"Yes, and if I run into one of 'em where I'm headin' for, there'll be a voter short in Texas," said one.

"What did you say about Kirk?" somebody inquired.

"You understand, gentlemen, on my own hook, you understand, I don't know anything about what's goin' on," the stranger explained, with elaborate caution. "But I've been hearin' things, like anybody's privileged to. Kirk may be all right and straight, for all I know."

"He's a man that's mighty handy with his gun, they tell me," the man against the wagon wheel remarked. "Do you know him, Captain?"

"I met him once when I was sheriff up on the Kansas border," Captain Scott replied, "but I don't know anything about him."

"Well, if he's crooked, as some say he is, he'll have the devil's own chance to put on a kittle of fish down there," the stranger resumed. "Everything will be in his hands when they take the soldiers out."

"It's foolish talk," Captain Scott declared. "A man in the position of United States marshal couldn't afford to be crooked, even if he wanted to be."

"I'm not worryin' about anything but sooners," the whiskered man said, sighing like a horse. "Them gover-

ment officers is straight, down to the littlest private watchin' this country I'd bank they're straight; but if ever' one of 'em had a dozen eyes they couldn't keep the sooners out. I could 'a' slipped over myself before now if I'd 'a' been that low and onery."

"Any feller that'd slip in and try to beat us men that's worked and waited for years to git a home there, and that's goin' to play square to the last minute, ought to be hung," said the man at the wheel.

"*Sooner*," repeated another, with inflection of contempt; "that'll be a name to brand a man like *horsethief*, and make his children ashamed to look at his grave. They ain't no lower trick a man could play, 'less it might be to jump a blind widder-woman's claim."

"I'll make soap-grease out of the man that ups and tells me he beat me there, by gunny!" said the man with the piping voice.

"It's goin' to take a carload of lawyers to settle the question of who's the first man in this scramble," the outsider declared, his ring twinkling with as much vulgar boldness as himself. "No man's goin' to know when he's got title, and this will be doubly true in the case of town lots. The bill that opened this territory's so full of holes you could throw a cat through it, the lawyers say."

"We know it's far from perfect," Captain Scott admitted, "but it's good enough for honest men, and plain enough for anybody but a crook."

"But no mortal man, or set of men, can comply with its requirements on filin' townsites," persisted the man with the diamond. "And when you come down to cases on any of the land, homesteads or lots, who's settled the question whether the man that files or the man that holds possession is the legal owner?"

"These are all questions which will resolve themselves; they can be adjusted without controversy among fair-minded men who are earnest in their efforts to settle on homesteads," Captain Scott told him.

"Yes, they'll be settled in smoke and blood!" the man declared.

"Do you aim to take up a claim?" somebody asked him.

"I'll camp on a lot in Victory if I can get one in peace," the stranger answered, "but if they're all gone when I light there, I'll buy somebody out."

"Aimin' to set up business?" another inquired.

"That's my intention, friend."

"There'll be money made, and there'll be money lost in Victory in the next few days," was Captain Scott's comment. "I'm afraid the gamblers and crooks who are here to flock in are going to prove a curse to our new country. The government ought to hold a mighty tight rein over these gentry, in my opinion."

Captain Scott spoke with great earnestness, looking severely at the man with the diamond ring, as if he intended it as a warning and a rebuke for one about to embark in an unlawful undertaking. The stranger waved his hand in a manner of disclaimer, flashing his stone in a wide arc.

"Not me!" said he, with sharp stress; "none of that in mine. I'm an undertaker, friends; I've got a carload of coffins waitin' here at the line—it's goin' over tonight. There'll be something movin' in my business in the next few days, gentlemen!"

The announcement seemed to cast down the spirits of the men around the fire. It was as if they had been granted a look into the future, with the turmoil and strife awaiting them in the new land. It sobered them; they sat in silence a little while. Then somebody:

"I guess you'll be needed by tomorrow night, pardner."

"I should hope so!" said the cheerful undertaker, with the emphasis of certainty. "There's a brewery agent here waiting for the government to modify the restrictions against liquor so he can rush in a trainload of beer, and an ammunition firm's got a load of cartridges on the siding right ahead of my car. I'll not have to depend on nature and disease in this country, gentlemen; business will be made to order, you might say."

He was so enthusiastic over his prospects that one might have thought he was shipping in pianos, or baby carriages, or sewing machines, or any cheerful article that might be needed for the comfort of life in a new land.

"I hope the internal revenue department will stand by its ruling against liquor," said Captain Scott.

"Yes, I like a nip once in a while as well as the next one," said the man at the wheel, "but I'd hate to see a whole trainload of the dogged stuff go in. There's hell-fire enough in this crowd without that."

"Noss is my name, gentlemen," the cheerful adventurer announced; "Noss, modern undertaking. I'll be on hand there in Victory when needed. I hope none of you will have need of me right away for yourselves or any of your immediate family, but if a friend happens to get his foot into it, you'll know where to look for me. There'll be competition, and I'll take it as a favor if you'll remember my name."

Noss backed away from the fire as he talked. When he came to the penumbra of the little blaze, he turned and went his way.

"That's enterprise, I reckon," sighed the whiskered one. "No wonder I'm poor; I never would 'a' thought of pre-parin' to bury men that's alive and livin' this minute in forty years."

"I hope I'll not be called on to either make or furnish any business for him," a boomer said.

"If you bump into one of them sooners sneakin' out of the brush when you're about to drive your stakes, what'll you do?" another asked.

The first speaker turned to Captain Scott. "What would you advise a man to do in that case, Captain?"

"My advice always has been, everywhere, and always will be—stay inside of the law," Captain Scott replied. "A man would run two big chances if he went into a fight like that: the chance of being wrong, and the chance of losing his life. It's one thing to think a man's a sooner, and another to prove it. I don't know that there's a claim worth fighting over, when there's a doubt at all of ownership, in all of Oklahoma."

"Now supposin', just supposin', f'r instance, you was to run into a sooner where you're headin' for tomorrow, Captain: what would you do?"

"I'll admit I'm not prepared to answer that," Captain Scott replied. "Everything would be governed by conditions, of course."

"Sure—that's the p'int, that's the p'int!" said Blackbeard. "That's what we've all said and understand, ain't it? Circumstances alters cases, as they used to put on the blackboard when I went to school back in d' Hio."

They had their laugh over that, for it was clearly understood what the conditions would be when boomer and sooner should meet tomorrow in the promised land. The visitors got off the wagon tongue, rose from their unlovely poses around the fire, and prepared to go back to their own camps. As they pressed around Captain Scott to shake hands and wish him good luck, some announced that they were going in by train over the one railroad that penetrated the coun-

try, and try their fortunes first in the way of lots in the projected city of Victory. Failing there, their aim was to seek homesteads in the country adjoining. Others were putting their trust in fleet horses, and still others were going by wagon.

The man who had leaned against the wheel lingered a little after the others.

"Your mare all right, Captain?" he inquired.

"Yes, she can do her mile in two-fifteen, right along," Captain Scott replied, with evident pride.

"You're safe," said the boomer, nodding as if he found it to his expectations; "even over this ground she can make it in three. That'll beat the trains. The railroad men tell me the best they can do is fifteen miles an hour. That means a full hour, if not more, to run from here to Victory. Plenty of people here can drive it quicker than that. Miss Marion's goin' to take in the wagon, is she?"

"Yes, she'll follow rather slowly, for I'm taking in a year's supplies."

"Well, tomorrow's the day, Dave."

"Yes, Peter; tomorrow we come into our own."

"And this is the night for a man to keep his eye on his horses," the boomer said.

"I reckon all of us aim to do that, Peter."

"Well, good luck to you, Dave."

"The same to you, Peter, and lots of it."

They shook hands, and parted. Peter Cook went his way in the dark, breaking all rules of that sordid, selfish camp by whistling a rousing tune.

Captain Scott sat again beside his little fire, the light of which fell on the trappings of the cavalryman as he rode by at frequent intervals just beyond the end of the wagon tongue. He thought of the thousands of wagon tongues

which, like his own and those of the people drawn up to the line on either side of him, were pointing into the new land of Oklahoma on all its borders that night. They seemed to be designating each its owner's distant goal, pointing like spears of sleepless sentinels. History does not lack examples of nations in arms presenting walls of bayonets around their borders to repel invading foes, but never before in history was an army of peace such as that assembled, their wagon poles poised as spears, to spring at the signal and take possession of an empty land.

Captain Scott pondered these things as his fire sank to a glow, and the movement of those drawn up to him wheel-to-wheel fell silent. How many in that multitude knew of him, indeed, and his few true comrades who had worked so long to bring this country into their hands? Perhaps not one in thousands, for his fame had been but sectional, his life had been obscure. Yet, ten lusty years, and much of his substance, had gone into that fight for the winning of Oklahoma to the landless. It had been a fight not so much for himself, for what it might yield him now would be small, at the best, compared with what it had cost; but for the homeless, the renters, the disinherited. There a land greater in extent than many of the old eastern states had lain untouched through all those years, roamed by cattle, hunted over by Indians, while thousands of men who had fought their country's battles limped on its borders through life without homes.

Small credit for the honesty of his motives had been given Captain Scott beyond his own little circle. The boomers were believed generally to be pushing the opening for what they expected to profit by it and, in most cases, certainly, this had been true. But of the earnest ones, in whose intention there had been no speculative scheme, who

desired the land only to make their homes in it, Captain Scott was thinking as he stood at last with one foot on the shore of his long desire. How would they fare tomorrow in the race for prizes such as never were posted by a nation before? What was the hope for, and the outlook of, his old comrades in the long struggle, the men who had sought him that night to give him farewell there at the border of their land of dreams? What, even, of himself?

There they were foot to foot with twenty thousand, and more than that number waited on the other boundaries, it was said. The strong and the valiant were there, with the weak, the pusillanimous, and the unworthy. Would the honest men stand any chance in that vast shoal of ruffians and grafters who were going into Oklahoma to snatch and wrest away by force and craft, to intimidate and kill?

Captain Scott went to the end of his wagon, where three horses were champing hay at the feed box. One of these, a lean brown mare, nipped his shoulder playfully as he stroked her neck. He lit a lantern and looked the creature over from withers to hock; unhitched her, then, and led her to the front of the wagon, where he propped his back against the dashboard and settled himself to wait for dawn.

Within the wagon his daughter lay asleep, wearied by the slow march down from the Kansas line. At daybreak, when the danger of thieves and prowlers would be past, he would call her and turn in himself for a few hours' rest before the patrol along the line should sound the signal for the charge upon Oklahoma's unpeopled leagues.

As he watched near his fleet horse, Captain Scott thought of the carload of ammunition, the train of beer, and the load of coffins waiting at the line. Perhaps the coffins and ammunition were already on the way to Victory, for freight was being admitted ahead of its owners, to be there ready

for them on arrival; maybe the brewers would bear hard enough in the high places to have the interdiction against their product removed. He hoped this might be one thing to be denied, then and forever, to the land slumbering away its last night of silence before him there in the south.

Captain Scott, like many another man, had selected in advance the spot upon which he hoped to drive the stakes of ownership tomorrow. It comforted him to think he would be away from the turmoil of the inrush in the still valley which he had fixed upon for his home. He had found that place years before when pursuing cattle thieves into the Indian country, and the peace of it had gone into his heart. Now he felt sure of his ability to reach the chosen spot ahead of any other, for few knew that part of the country as he knew its every ford and trail. There could be none better prepared for a rapid journey than he, unless he had, by some unheard-of invention, supplied himself with wings.

Fifteen miles to the south his little valley of paradise lay, with timber along the stream that watered it, with wild crab and hawthorn trees in its clean meadows here and there, tops rounded, branches stretching on a level with a man's head, where the wild creatures had browsed as high as they could reach, as orderly as if they grew in a park. A year would transform that wild beauty-spot into a comfortable, productive farm. His hopes had been centered on it for years; now the quickening nearness of its realization was like the breath of a bride upon his cheek.

At the sound of the signal gun he would loose the rein on his brown mare, the miles would fly beneath her feet. Even before the heavy train, packed with its human freight, could get under way, he would be five miles upon his course. If any man beat him to that selected spot tomorrow, thought Captain Scott, he must have wings, indeed.

CHAPTER II

INTO THE PROMISED LAND

ISRAEL did not wait more impatiently the recession of the tide when its prophet smote the waters, opening a passage into the promised land, than that picturesque multitude leaned and listened for the sound of the signal gun on the border of Oklahoma that day. The April sun was glad above them; the wind was blowing softly out of the land which they waited to overrun; the mead beneath their feet was lively with spring's ephemeral bloom.

Noon was the hour set by the President's proclamation. As the cavalymen rode their beat waiting for their tiresome vigil to end, the dust of those restrained thousands rose and dimmed the sky; the noise of their moving, talking, whispering, shouting, oncoming, blent into a roar. The silent suspicion of last night had gone out of them; a fevered gaiety seemed to ripple over the assemblage like sun-dimpled water in a morning breeze. Men spoke loudly of their intentions—for hope in that hour seemed to have given way to certainty—in the new country; women hailed their neighbors in far-carrying shrills.

With morning a general movement toward the line had set in. Although the border could not be crossed as much as an inch before the fixed hour, everybody who did not face it directly shifted for a better position. Miles upon miles their dusty wagon tops came lurching on, to draw up as near to the forbidden line as might be; miles upon miles the bodies of men and horses mingled in a working, winding,

streaming throng, which covered the green earth and wore down through the grass into the soil.

Some had been there in waiting two days, while others were just arriving, big-eyed and bewildered, to take their places in the concourse of adventurers who were soon to begin that unequaled race for homes. The newcomers were staring and inquiring, wondering and exclaiming, pushing and striving to win places in the van. Hope fluttered like a dying breath in their bosoms as the possibility of there being enough land to go around looked dimmer and dimmer to them as they panted through the crowds.

The people were assembled mainly along the railroad, it being a natural desire to locate as near as possible to the only line of transportation entering the raw country. But there were other points of vantage, or fancied points of vantage, along the border which offered a free sweep across, where wagons were banked back a quarter of a mile deep. Such large wedges generally were under the leadership of some boomer who knew the country, who had engaged to pilot the homeseekers across the Cimarron's treacherous depths and sands.

That was an American gathering, such as would be impossible to find after the more than quarter century of unrestricted immigration which has passed, with its pollution of alien blood, since then. There were men waiting that day at the Oklahoma line who had grown old traveling from place to place in search of the frontier to which they were born, and which they had expected to remain always the same. It had faded before their eyes like a mist, and they were crowding in that dusty army, awake at last to the realization that the only unpeopled stretch of habitable country in all the Nation lay ahead of them. It was the

Land of Last Chance with which they stood face to face that hour.

One who had lived long in the West could sift that type from the crowd as readily as the eye reads a printed page—their bony faces, sometimes adorned with patriarchal beards; their clumsy, high-wheeled wagons with home-made hickory bows; their ill-assorted horses, never a pair of them of one color or size. Children in great numbers popped heads out of these wagons; strong, flat women sat on the springless seats beside the men who held the lines.

There were young men in that throng, also, to whom it was the first assault upon the world to win a prize, as well as the old ones for whom it was the last; there were widows in rags, driving bony horses, faring out in the hope of a home for the little ones who strained against them with fright in their eyes; and there were damsels in the bloom and beauty of youth, thinking of husbands, perhaps, who might at last resolve out of that immense composite and make the race worth while. There were rich men and poor men, for the field was open to all; honest men and rascals, as are to be found everywhere.

They were provided, each man and woman, with such conveyance as their experience or means justified. The farm wagon, with bows arching high over the bed, was the most common vehicle, but there were spring wagons, loaded lightly for a quick dash, and one-horse buggies and buckboards by the hundred. Thousands of men and women were mounted on horses and mules, some of them fleet and strong, more of them poor and inferior, scrawny of necks, weak of joints, watery of eyes. Here and there a man was seen who had put his faith in a bicycle, and mingling with all, apparently hopeless in the face of the mighty odds which stood against them, were those who pushed

wheelbarrows and baby carriages, laden with their slender supplies.

Upon almost every wagon there was slung a plow; upon every pack a spade. The story had gone abroad, starting from what source and having what foundation of truth nobody could tell, that the man who broke the ground of his claim and planted seed in the soil was vested with an incontestable title. They believed this evidence of occupancy fortified the fact of possession, and all who aimed at taking homesteads were setting forth with implements to break the earth, and a sack or packet of seed to plant therein.

Those who were to make the run on foot were the most serious and determined of all in that mighty press on the frontier of the Land of Last Chance. It called for heroic courage to set out in a race that soon must break into a roaring tornado of competition, with no swifter means of flying forward to one's desires than one's earth-encumbered feet. These footmen crowded to the line as the hour for starting drew near, their hat brims turned back, jealous of the places which they had won in the van, throwing fierce looks behind them when any pressed his horse too near.

Back and forth the cavalymen rode, sentry meeting sentry every two hundred yards. Before this line men and women stood in their wagons, watching for the first movement that would tell of preparations for firing the signal to start. Captain Scott's team was hitched and ready; his brown mare was saddled and waiting; he was prepared to mount and ride. He was sitting on the seat of his wagon beside his daughter, a paper spread on his knee, following with his finger the lines of the crude map he had made.

"I've put in the unmistakable landmarks," he said, "and it's only fifteen miles. You can't miss it, Marion."

"No, of course not; I'm not afraid."

"Fifteen miles from home, Marion." Captain Scott looked away speculatively into the blue distances of the south. "You'll be there in time for supper—I'll have a place ready for the camp near the spring. I've camped there fifty times, I reckon, in the last fifteen or sixteen years. It's been home to me in my heart for a long, long time."

Marion put out her hand and laid it gently on his where it rested on his knee, the folded map in his fingers. The wind was free with her russet hair, uncovered to the sun; her brown eyes were soft with sympathy.

"I think they're getting ready," she said, standing on the footboard to see.

She was tall and trim in her blue serge dress with soldierly buttons on its jacket. She looked so fresh and eager as she stood watching the soldiers, the soft wind playing in her hair, that the man in the wagon to the right of them nodded and smiled.

He was a short man, with thick-curling black hair salted here and there with a gleam of gray. His brown face was so round and smooth that his nose seemed to have been overtaken in the growth of his cheeks and submerged between them, leaving only the end of it up, like the floater on a fishing line. On the side of his bright new wagon this sign was painted, in letters red and blue:

J. BLISS

WELLS BORED—WATER GUARANTEED.

There was a very large blue period after it, as if the painter had been sure of that, and wanted the world to

know that he had come to the end of Mr. Bliss' announcement and turned him free into the universe to explore for water at the need of the thirsty who could pay.

Mr. Bliss brought up a wicker-covered jug from beneath his seat and a glass from the basket at his side. He filled the glass with some clear liquid from the demijohn and handed it across to Marion. When she hesitated, a question in her serious, barley-brown eyes, Mr. Bliss patted the jug and laughed.

"It's water out of the last well I bored up in Kansas," he explained.

She drank it gratefully, giving him her thanks, for a glass of clear water such as that was a luxury on the boundary of Oklahoma that day. Mr. Bliss poured himself a glass after serving Captain Scott, holding it up to catch the prism of the sun.

Captain Scott acknowledged the sentiment with a wave of the hand, in the best of fellowship, and Marion gave Mr. Bliss a smile which was so quick, unexpected, and spirited, that it seemed to flee over her face and sparkle in her eyes like the echo of a laugh deep down in her heart. Captain Scott took out his watch.

"It's four minutes of the hour," he said, a huskiness of excitement in his voice; "I'll get in the saddle and be ready to go."

Marion was trembling in anticipation of the signal that would free that human avalanche as she resumed her place and gathered up the lines. She looked across at Mr. Bliss, who was holding his lines between his knees and making what appeared to be figures in the palm of his hand with his finger point. He seemed entirely concentrated on this invisible calculation, his round face as serious as it well ever might be. Several times that morning Marion had

seen him busy over this strange computation, which never seemed to come out right. Always at the end of his figuring Mr. Bliss had shaken his head and sighed, as if hopeless of making it foot correctly. Her pleasure now was almost equal with his own when she saw him nod, and nod again, then smile like a purse full of gold. Whatever those invisible figures had calculated, Mr. Bliss seemed to have found the answer at last.

"They're lining up—there's the lieutenant taking out his gun!" said Mr. Bliss.

Marion leaned and looked, her breath coming fast. There the lieutenant waited, revolver in one hand, watch in the other, his horse turned to face the throng. The cavalrymen all along the line, as far as the eye could find them, had paused in their sentry beat and turned their horses to face the waiting thousands, also. They sat with revolvers ready, to carry their officer's signal to the east and west.

Captain Scott reined the brown mare up to the wagon, leaned and kissed his daughter. There was moisture in his brave gray eyes, and she clung to him a moment, a sob in her throat. She reached over and patted the mare, and whispered in her pointed ear.

What a heartaching strain in the last minute of that big hour! Women in slatted sunbonnets, out of the shadowed funnels of which their faces looked haggard and old, stood on the edges of wagon beds, clinging to the bows, ready to give the word to their husbands who sat stiff and strained with whips poised to lash their quivering teams; children mounted to the seats beside their elders, lips parted, eyes bright; horsemen swung hastily from their saddles for one last look at girths, and leaped back again with gathered reins; women who were piloting their own destinies that day gave the lines tentative shakes, as a nervous gunner

tries the hammer of his piece while lying in wait for the game; bicycle men mounted for short trial excursions of a few yards where they had room, circling back again to their places like pigeons.

The last minute of the last hour was speeding away: silence fell over the multitude, lately so noisy. In the last seconds of that minute the eager, shuffling feet were still. The venders of tin cups, canteens, buggy whips, goggles, and gewgaws had disappeared; their chatter and shrilling was stilled like the rasping of insects before a storm. Eyes strained into the level distances of Oklahoma, the breath between the lips of the watchers passed softly, like the warm, gentle whisper that moves the leaves ahead of the hurricane.

The lieutenant of cavalry had stationed his horse upon a little mound, the outer rim of an old buffalo wallow, where little blue flowers on grassy stems stood as high as the animal's pastern joints. All around that little mound of earth, which rose like a tiny island in the prairie sea, the land stretched away without a tree in sight. Scarcely a shrub as tall as a man interposed to split the tide soon to be loosed upon it.

The officer lifted his right arm; the blue smoke of his pistol shot spurted; the sound of it—weak in that vast place where twenty thousand people made but a vari-colored splotch upon the league-long green—struck in the ears of those who listened. Along the line the troopers repeated the signal, waving their hats to encourage and stimulate the race.

At the sound of the first shot the men on foot leaped across the line and dashed away. Horsemen spurred after them, the jam of wagons broke and moved with rumblings. A shout rolled from the front rank of the invaders, and rolled back again from the distant rear, like a breaker

wasting its strength against a cliff. Then silence, for all save the deepening roar of ten thousand wheels, of unnumbered hoofs, of uncouneted feet upon the sod.

Captain Scott waved his hand to Marion as the brown mare sprang across the boundary and skimmed away on her long run. For a little while Marion could follow them, and keep them separate from the pressing throng; then the dust came heavily between them, and horse and rider were lost.

Marion was under no necessity of haste in getting under way, but there could be no lingering on the line after the pent volume broke. She whipped up the team to get across and out of the way, then allowed her animals to fall into a comfortable trot while the panting thousands streamed past. Within a few minutes after the sounding of the signal, the last of the waiting settlers were across the line, leaving the plain where they had stood as empty as on the day of creation. The soldiers, watching after them, saw the struggling line of the rear far away on the race for homes, and the dust cloud that rose from the hoofs and wheels of the advance was settling over the foot stragglers who trailed hopelessly behind.

An hour left no trace of the slowest, save the rising dust of his feet. Oklahoma had taken them into its mighty hand and hidden them, as if they were grains of wheat.

The first objective of many thousands who bore down upon Oklahoma that day from the northern border was the site of Victory, a city of extravagant expectations. Under another name than Victory a station had been established for several years at that point on the railroad line. Boomers who had gone into the Indian country and taken up their homes lived there and around. When the news that Congress had passed at last the bill opening Oklahoma to

settlement under the homestead laws reached the hamlet, the inhabitants at once changed its name to commemorate the event. It was believed that the business of the new territory would center there, and this belief had been stimulated by townsite companies which, in advance of their intention to rush there and file on the site and sell lots, had advertised its promises and possibilities far and near.

This yet unoccupied city was fifteen miles south of the northern line, and would be the first stopping place of the trains which had been drawn up and loaded long before the starting hour. Everybody of speculative turn who could afford to go by train, and had the money to provide himself with supplies after arriving, had places in these waiting cars, as far as their capacity would admit. Even the roofs of the coaches were laden with men who would rather risk life than an hour of delay. Seconds were counted, minutes were grudged, in the panting eagerness of that day.

Men fought for places to which they might cling on the cars, hot in their desire to be across the line gathering up the riches which they believed lay unlocked and unguarded, ready to the hands of the first to come across the levels of Oklahoma. Women were in the excited press around the trains, also, with jostled headgear and draggled garments, clawing their way like catamounts. Everybody had upon his back, or carried bound about shoulders, or pendant in aching arms, his baggage. In times of greatest excitement, when unreasoning haste swept in waves over the crowds, the struggling people held these precious possessions high above their heads, like swimmers straining to save their last treasures from the sea.

It was believed that lots in Victory would soon be worth far more than quarter-sections of land. The double inducement of their being easily and speedily turned into cash

was there, also, without the hard work and long waiting to make a farm valuable in a raw land. Certainly, there could not be valuable lots enough in the town to provide all that hungry throng. This the contestants understood as they scrambled and pushed, and ran aimlessly up and down the long lines of filled cars, faces lifted in expression between panic and appeal to those who mocked them from the windows. The best lots must go to the first-comers, to the fleetest-mounted. But let them go as far as they might, said the speculators of one eager day; when they were gone, then it would be time to turn to the outlying lands and pick up the best, ahead of the slow-moving men who were coming impeded by their families and implements, in the one honest hope and homely ambition of finding homes. To these laggards in the race the speculators hoped to sell their relinquishments of homesteads, and from there rush on ahead again toward the interior, repeating again the profitable transaction.

So men talked as they sweated in the jammed cars; so they thought and schemed as they urged swift teams and light wagons over the unmarked prairies; so they communed with themselves as they bent over saddle-bows and lashed their horses unsparingly over upland, through timbered valleys, across creeks, up crumbling banks—onward into the south.

Oklahoma had done the thing magnificently. Never before had the Nation been called to witness so tremendous a race. The one cloud over all its moving immensity was the fact that the base had been admitted to the contest with the noble. As has been the case in other places, at other times; as it will be the same always, everywhere; evil flew much faster than good into Oklahoma that bright noon hour. The plague comes faster than the physician, the

thief outrides the sheriff, in all the sad adventures of this life.

Hundreds fell out of the race before it was well begun, with wrenched wheels and broken axles, and scattered along the route like the débris of a tornado. Men with families of crying children around them sat pitifully stranded on broken wagons or behind their fallen animals, like wrecked mariners whom nobody would risk his fortunes to save; lone women stood at the heads of dead horses, driven beyond their weak endurance in the unfeeling madness of the race, holding to the lines as if to urge life back into the broken creatures to carry them on, or heaved at collapsed wagons as if in the hope of some miracle to repair their misfortune. Some huddled brokenly upon the little heaps of goods which they had gathered in their crazy conveyances, which had proved all too early their unworthiness, looking with frightened and despairing eyes after their vanishing hopes.

For nobody seemed content to stop where he had fallen and make the most of it; nobody believed that he had yet come to the best to be obtained. That was beyond, away off there in the south, now out of reach of their broken wheels forever. None stopped to lift the unfortunate, for self was uppermost in that invading army; the weak fared as the weak have fared always in the big contests of this world. Those who passed were not without pity, but every man had his load.

Marion Scott drove leisurely on, her heart touched by the despairing faces which were raised to her in speechless appeal as she passed. She could not lift all the fallen, or promote the desires of any, and so she continued onward without a word of advice or cheer, although she had it in mind more than once to urge the stranded ones to take up their homesteads where they had failed. The land was good

all around them, rank with the lush grass of spring, and adorned as in welcome with a thousand flowers.

Only one man, out of all the unfortunate whose wings had given way too soon for their desires, whom she passed that afternoon, had made capital out of his mishap. This invader's horse had fallen some five or six miles over the line and lay dead upon the grassy plain, as scores of better and worse ones lay scattered all about. He had seated himself on the carcass, revolver in hand and, as the laboring tide roared past him and divided at his isle of safety, he proclaimed in loud voice:

"This is my claim, this is my claim! Keep off, you people—keep off!"

The declaration seemed quite valid, as none stopped to dispute it, but the warning was entirely unheeded. None of the generals of history, remembered for checking routs and turning retreats into victories, could have prevailed against the weakest woman in that blind rush to turn aside, much less one ordinary-looking man with a long gray mustache, seated on the ribs of a dead horse with a pistol in his hand.

Captain Scott was far ahead of even the foremost who broke over the line in the vicinity where he had waited. When he found himself with such a safe lead, he checked the brown mare to conserve her wind. But a few miles lay between him and the little valley which had taken possession of his heart. He gave himself over to thoughts of development that he long had planned as he rode confidently toward his goal.

Every rod of the way was familiar to Captain Scott. He had grazed his cattle through that country many years, and had driven herds up from Texas while working as cowboy for the big owners before the railroad was put

through. It was nearer home to him than the place that he had left in Kansas, for there he had dwelt in the feeling that it was only a temporary abode, pending the fruition of his labors for the opening of the Indian lands.

As he rode now, freeing the reins, allowing the fleet animal to leap forward again on her way at her best, Captain Scott felt that he had ridden away from the clouds of uncertainty which had darkened his hope of success on the line. He had seen so many well-equipped men waiting there, and he had suspected that each of them knew of his little paradise and intended to lay him a race for it. He smiled over these unreasonable fantasies now, patting the brown mare's neck in encouraging caress.

Down into the valley the brown mare sped, where the wild plum was snowy with bloom, and buckeye was green among the budding elms; where there was wood enough for all the winters yet to come in the life of Captain Scott, and pasture enough for the brown mare and all the foals she might bear; down into the valley, where the old cattle trail was dim, and narrowed now by encroaching saplings, and the brown mare's slender legs flitted through the thin forest shadows of early spring.

A little farther, good brown mare! a little stretching of that eager neck a few rods on, just past yond gray old elm, its trunk shortened by some wild-lashing wind. Captain Scott leaned forward in the saddle, his heart hot in his bosom, his knees clamping the racing creature's sides as if he would lift her and fly like an eagle to the seat of his long-living hope. Just around that bend, brown mare! where the dogwood stood in clusters, its young leaves as big as squirrels' ears — just around the bend to the spring, where you might muzzle your thin nostrils in the clear, cold brook; just around the turn, to green pastures and home!

Around the bend, and Captain Scott leaned back in his saddle, checking the brown mare with an astonished gasp. A covered wagon stood beside the spring; on the greensward of the meadow, with the wild crab and hawthorn in it, a man was striking long, glistening furrows with a plow.

CHAPTER III

THE SOONERS' PARADISE

"**H**OW did you get here?" Captain Scott demanded, amazement mastering his disappointment over this sad outcome of his hopes and his sturdy race.

The man at the plow had stopped his team at the sound of the approaching rider. He stood now, the lines about his waist, one hand on the plow handle, the other on his pistol, looking at Captain Scott with unfriendly scowl.

"I drove in, if it's any of your business," he replied.

"Yesterday, maybe, but not today," Captain Scott told him. "You're a sooner; you'll have to get out of here."

"I've got a legal, sound right to be here, pardner," the other declared in apparent confidence, "and I'd like to see the color of the man's hair that's goin' to drive me off!"

"Well, I'll tell you, man——"

"Wait a minute," the sooner interrupted, lifting his hand from the plow in warning, "before you say too much and find you ain't able to back it up. I'll tell you how I come to git here ahead of you, pardner; I was a deputy United States marshal, stationed in here to keep sooners out."

"That disqualifies you!" said Captain Scott, his stern face quickening again with the fire of his dying hope. "Under the bill that opened this country no federal officer on duty in Oklahoma today can take up land. Don't you know that?"

"Of course I know it," the sooner replied, easily. "I resigned at a quarter to twelve."

"That's only a trick of evasion; it doesn't qualify you. You're a sooner ——"

"Bear down easy on that word, pardner; I don't like it," the fellow cautioned.

"Neither do I," Captain Scott returned, strongly. "It's the ugliest word for the ugliest creature that ever stood on another man's ground!"

"How did it come to be your ground before it was mine, pardner?"

"I came in the legal way, to claim it legally."

"Do you want to fight for it?" the sooner demanded, in loud, defiant voice.

"Yes, I'll fight for it!" Captain Scott answered, dropping his hand to his revolver.

The sooner did not appear to be greatly concerned. He laughed, a short, sneering chuckle. Captain Scott sat watching him, his hand still on his weapon. In his day, Captain Scott had been a fighting man. As sheriff on the Kansas border his name had been a terror to cattle thieves from the Arkansas to the Rio Grande. This was due in no small measure to his rule of never drawing his pistol unless he used it. Now, as he waited a hostile movement on the part of the sooner that would justify him beyond any question, a bullet clipped his hat, and the sound of the explosion that sent it came from the direction of the wagon behind him.

The assault was so unexpected from that quarter that Captain Scott was surprised out of caution. He turned in the saddle to confront his new enemy, and saw a woman standing by the wagon wheel, a rifle to her shoulder. The smoke of the shot was rising from the muzzle of the gun;

she pumped another cartridge into the chamber as he turned.

"Git out of here, you sooner!" she screamed.

The man at the plow had his revolver out when Captain Scott turned to him. The fellow was snarling; his face was white. There was the look of murder in his eyes; his voice trembled as he spoke.

"Ride on!" he said, pointing with his disengaged hand into the south.

Captain Scott threw out his hand before him, in a movement of resignation.

"I can't fight a woman," he said.

"Then git out of here before I crack you over!" said the sooner, his base courage rising in him like a coyote's.

"I'll go; it's your day," said Captain Scott.

"You've done enough talkin'," the woman told him, coming up to the plow.

"I'm going to ask you a little favor that won't cost you anything," said Captain Scott. "A girl will come driving a wagon along here late this evening, and I'm going to request you to strain your good nature far enough to tell her I've gone on to Victory and will meet her there."

"Maybe I will, and maybe I won't," the sooner said, surly and full of suspicion.

"I wish you'd tell her to wait for me somewhere around the land office," said Captain Scott, addressing the woman.

"I'll tell her," she nodded, with more grace than Scott expected from one who had exploded so violently but a minute before. She lowered her gun as she spoke, and looked Scott over with a searching question in her sun-browned face. He thanked her, turning his horse to leave.

There must have been something in his face, some reflection of the disappointment which the loss of the claim had

given him, to move the woman's compassion and soften her heart.

"Everything's fair in this kind of a deal, mister," she said. "You mustn't think too hard of us because we beat you to the claim you had your eye on."

"Shut your fool mouth!" the sooner commanded.

Scott made no reply. He lifted his hand to his hat brim in acknowledgment of her little attempt to palliate the outrage they had committed against him, and rode away.

That was the end of his great day. No matter what chances were open to him still, the sustaining color seemed to have been drained out of his soul. For years his desire had been centered in that peaceful little valley; he had ridden forward to it in the exultation of his victorious hour. Now it had been snatched from him by a trickster, in open and notorious lawlessness. But in spite of that fact he doubted whether there was any proceeding to be instituted against the sooner which might result in his ultimate eviction.

Scott's spirits were downcast, his senses bewildered and shaken by this unexpected loss. There seemed nothing at all left in the offering of Oklahoma to take its place. Numbly he rode on toward Victory, dimly considering filing on the land and fighting in the courts for it against the sooner.

It was only a matter of two miles across the country, westward from the lost claim, to the railroad and the new city of Victory. As he rode, Scott's hopes began to revive a little. Perhaps, if there was any justice for an honest man, thought he, the sooner's admission of his manner of entering into possession of the land would oust him in itself. But the bill that Congress had passed so hastily at

the last moment of the years'-long importunity of the boomers was full of flaws, as everybody knew. It might be that the sooners had taken legal advice in advance, and knew what they were about.

As he passed along, riding swiftly now, Captain Scott saw men on every quarter-section between what he still thought of as his claim and Victory. The advance of the rush had not reached there; this numerous population of sooners was a mystifying thing. Scott pulled up beside a wagon where an old man was building a brush hut.

"How many deputy marshals were there in this section of the country?" he inquired.

The old sooner looked up at him with a grin on his whiskered face.

"Three hundred-odd," said he, "but a right smart few of 'em's takin' up lots in town. If you'll hustle around a little you can light on a purty good piece of land yit—there's some over that way nobody ain't on."

He indicated the southwest, where the land rose to prairie again, as bare of trees as a cultivated field. It was a bleak and harsh-looking place to set up one's tent and build the foundations of a home, lacking in every appeal which Scott's disappointed heart was hungry to entertain. He did not reply to this suggestion, only sat in his saddle with grim face and fixed eyes, looking toward the townsite.

"If you'll ride fast enough you might have a show up there," said the sooner. "I heard the first train whistle off up there just as you rode up. Maybe you can beat it in."

Perhaps it might be worth while to make a try for a good lot in Victory, thought Scott. That would be better than nothing, in case the sooner could not be dispossessed of the claim. He did not want to turn empty-handed away

from Oklahoma now, after his years of working and waiting to bring it under the husbandman's plow.

The first train had been delayed in starting by those frantic ones who had failed to get a foothold on it before the last moment. In their desperation and mad desire to be with the first on the townsite, these unprovided ones began to stow themselves away beneath the cars on rods and beams of the brakes. Trainmen were obliged to call the soldiers to help dislodge them and keep them off before the train could move.

This delay gave many a swift horseman, and even drivers of light vehicles, an advantageous lead, and landed them in Victory ahead of the train. Scott saw that several hundred people had reached the townsite before him. Most of these, as he could tell by their freshness and thorough equipment, were of that large and favored contingent which had served as deputy United States marshals. Here and there a blown horse stood, head down, sides heaving, showing that it had made the run from the border.

The train was approaching in a gallant finish of black smoke-plumes, which rolled back over the packed tops of the cars, as Captain Scott rode into the town. Before the train came to a stand its freight began to unload itself. Regardless of their own limbs, or the heads of the passengers who were wedging through the windows and leaping to the ground, those on top of the cars began to roll off. They fell on the people who had alighted ahead of them by a second, and the heaps of kicking, yelling, tearing, frantic men grew as the train slowly came to a stop. In a moment, then, the first to land were on their feet, not a few dragging wrenched legs and carrying broken or dislocated shoulders and arms, running, spreading, dashing about in greedy uncertainty lest they overlook the best.

Captain Scott had selected a corner lot a few rods from the railroad, near the acre reserved by the United States government, and known then, and thenceforward, as Government Acre. He planted the stakes which he had brought for another purpose at the corners beside the surveyor's marks, and took up his stand inside his lines. If the chance was worth anything, it was worth fighting for, and Scott was in fighting humor now. Nobody should wrest possession of that lot from him, he determined, no matter in what numbers they might come.

Beside him a woman had set her stakes. She had no horse, no equipment but a small tent rolled in military fashion and slung across her shoulders. She was tall and young, comely and alert. Her yellow hair was like ripe wheat in the sun.

Captain Scott turned from his wondering speculation on her manner of arriving there so unruffled and serene, to watch the unfreighting of the train. There were fifteen cars in it, carrying no fewer than three thousand people, as he learned later. Most of the lot hunters and speculators brought small supplies of food with them, hundreds were provided with little tents done up in rolls, which they had bought from venders that morning on the border, and almost every man had his valise. Many of these bundles and bags were dropped as their excited owners struggled from the cars to the ground and set off in the mad scramble to look for they knew not what.

Within a little while the ground near the railroad, and reaching over as far as Captain Scott's lot, looked as if it had been sown by a tornado that had sucked up a department store. The blind runners kicked the lost and abandoned baggage, and stumbled over it, as they went tearing along; the gripsacks and bundles sprung open,

revealing their contents, spreading food and clothing over the earth. Here loaves of bread were being kicked by unfeeling feet, the owners of which were to go hungry before another day; there sausages and chunks of bacon lay as if a meatshop had burst its sides. Collars and cuffs formed drifts against tall shrubs; shirts of various colors, from hard-bosomed white ones to Irish red, blew in the wind, stretching out flat arms as if appealing in vain to their owners to stop and consider their plight.

There were hats, umbrellas, handkerchiefs, neckties, all blowing, rolling, sailing in the clouds of dust which were soon to be the plague and despair of the dwellers in that new city. Flocks of newspapers whirled and flapped over the heads of the scurrying people; engines blew long, purposeless, screaming blasts; men shouted and shouted, until their hoarse throats cracked, and all the time went tearing about—first this way, to stop suddenly and turn; then that way, to veer and detour around nothing; pressing over here, running back there, sweating, growing into burning thirst which there was no water to quench.

Women who had come in on the train fluttered here and there like the scraps of paper in the wind, beaten and driven, whirled and carried along on the frantic stream. The sight of that stampede was almost terrifying to the first arrivals, who stood with paling cheeks upon their chosen places. Captain Scott had been accustomed all his life to seeing men who perversely or unfortunately presented their worst side to the world, but never before in his experience had he seen them appear at so mean advantage. There seemed neither honor, chivalry, justice, nor any sense in any of them, from the fattest to the leanest, from the graybeard to the boy.

In a few minutes they spread over the original half-

section to which townsites were limited by the law, and adventurers were staking out additions. They came on, snatching everything, regardless in many cases of prior claim, especially where the claimant chanced to be somebody too weak or timid to fight for his rights. They drove their stakes heedless of boundaries, and proclaimed their ownership with waving arms, with shouts, with wild eyes and flying hair, and weapons flashing in the sun.

There was scarcely a lot without two or three claimants, wrangling and disputing, glaring with clenched fists and bare teeth, pistols in hand. The railroad right-of-way was staked out; one brown, wrinkled old German woman planted her notice of possession in the middle of the track itself. The poor soul appeared to believe that everything that lay within the new land was open to homestead, and her reasoning that a piece of railroad would be a very convenient and useful thing was not without its sound business foundation, no matter how untenable the claim.

In more than one hasty argument shots were fired, for the few soldiers doing police duty there were submerged by the first disordered rush. Some were killed among these hot disputants, some wounded, many timid ones overawed and beaten out of their rights.

Captain Scott was fortunately situated in being near the point where the invaders unloaded from the cars. Quick-headed ones speedily took possession of the lots in his vicinity, the throng which followed pressing on, heads up, eyes staring ahead, racing for that alluring thing, the Big Chance, which each of them believed to be over there, just a little way along.

It was only by constant vigilance and uncompromising firmness that Captain Scott managed to keep his lot clear of contestants. And yet the complications and vexations,

the turmoil and wild disorders, the striving, bitterness, and bloodshed, were only beginning for the new city. The first train was not yet empty of its load when a second drew up behind it, with a throng whose eagerness had been aggravated by delay.

By nightfall the railroad alone had carried eight thousand people to Victory. Many of these spread over the surrounding agricultural lands and took up homesteads, but the thousands who came in wagons, on horseback, and even afoot over those fifteen rugged miles, took their places in the town like drops succeeding drops. By the time Victory was ten hours old, it could number a thousand people for each hour of its existence.

The townsite was covered with a confusion of tents, wagons, horses, and humanity. No order had been observed in locating, no attention paid to the designated lines of streets, which were faint in the beginning and soon obliterated. Almost every lot had two or more—sometimes five or six—claimants, each contestant proclaiming his right to be superior to the rest. And in all the land as yet there was not a court to which they could carry their appeals, not a judge to adjudicate between them.

The chafing feet soon wore through the grass and stirred great clouds of dust which whirled on the hot wind and powdered tents, wagon sheets, and the heads and shoulders of men, coating all who came to Oklahoma that day with its mark, which was as if the blood of a thousand striving generations had run into that soil, and all the waters of heaven could not purge it forth again. Earth deadened the beat of hoof, the clash of wheels. Only the human note rose out of that dusty plain. It was a discordant sound, querulous, threatening; the sound of discomfort and suspicion, each man against his neighbor, such as must

have gone up from the camps of naked, squirming savages with mud in their tangled hair.

The only water on the site of the town was the little creek that ran along one edge. It was thick water, red with the stain of that peculiar soil. Thrifty boys began carrying this uninviting refreshment in pails, peddling it at five cents a cup. Men drank it and called for more. None holding a lot dared leave it to go for water himself, so it fell out that some, at least, realized above their expectations that day. A bucket and cup represented the capital of many a lad who quit work that night with several dollars to weight him to the ground while he slept.

Captain Scott left the brown mare in the center of his narrow domain, cropping the grass which his close vigil had preserved in some measure from the feet of the stranger hordes, while he walked a beat around its boundaries. He felt a stranger in his own land in the midst of that sudden transformation of the wilderness into a populous camp. He had not foreseen this when he unlocked these leagues of fertile land; he had not dreamed that men would assemble upon the borders of Oklahoma from all parts of the nation, to sweep over it with the hunger of a locust pest. But his heart was beginning to mount in a new hope of great and worthy things to come of all this activity. He felt like one who has seen his labors unexpectedly rewarded, his expectations exceeded by extravagant bounds. Out of the disorder of that hour would rise a stately city, with the spires of peace, and strong walls guarding the treasures which would spring from that unfurrowed soil. That was his new vision as the sun reddened in the west, angry through the dust-cloud as an eye that has watched the night out beside a wind-vexed fire.

As he walked his sentry beat, guarding his borders from

covetous and unscrupulous adventurers who already were beginning to do a brisk business in jumping lots and claims, Noss, the modern undertaker who had visited him in camp the night before, appeared. Noss was dusty and hot. He wore a handkerchief crowded between his inflamed neck and collar, his narrow face was red from sun and the chafing dust, but he was full of ginger and as spry as a colt.

"Great country!" said he, with hearty loyalty.

"It seems to have the making of one," Captain Scott admitted, looking his visitor over with questioning eyes.

"Great people!" said the undertaker, applying a black-bordered handkerchief to his streaming face, already peeling from the effect of internal and external heat, moisture, and ingrained dust.

"Yes," said Captain Scott, but with rather doubtful enthusiasm, "great in numbers, anyhow. Have you located?"

"No. I was wedged in a car—paid a brakeman five dollars to let me on a minute ahead—like a darned fool, instead of straddlin' the top of a coach like the wise fellers did. I couldn't get out till all the lots along here were gone, and I don't seem to favor any other location. I want to set up along here by the railroad, where they can see my sign comin' and goin'."

"Did your shipment get here?" Scott inquired, with considerable curiosity on that point.

"It did," Noss assured him, heartily, "and I'm tearin' around tryin' to beg, buy, lease, or steal a location. Say, do you know I've got two cases waitin' on me right now, and not a place to even open a keg of nails?"

"Business is beginning early for you, according to your expectations," said Scott, dryly, unable to enter into the undertaker's prospects as heartily as he might have done in some more cheerful line.

"One case got his legs under the train and the other one was shot," Noss explained. "Clean business, the kind of business I like to handle, the kind this country's goin' to put up right along. No diseases, no risks. It's fine!"

"I suppose such sudden endings have their advantages which I have overlooked heretofore," smiled Scott, grimly moved to humor over the man's ability to see the cheerful side of his somber business.

Noss did not seem to hear. He allowed the remark to pass without comment, for he was turning around and around like a dog trampling his bed in the snow, looking sharply on all sides. Suddenly he faced Captain Scott, clapped the long fingers of his right hand down into the palm of his left with a sharp smack, and said:

"I'll give you a thousand dollars, cash money on the spot, for this lot!"

"You're rather sudden about it," said Scott.

"That's all right; the location suits me—it's what I've been lookin' for like a towhead for four hours." Noss had his hand in his pocket; there was the look of business in his eye.

"I'm in no hurry to sell out," said Scott, shaking his dusty head.

"That's the limit; I'm a man that goes the limit for anything I want on the first jump."

"I'm not holding out for more," Captain Scott denied. "I hadn't even thought of selling."

At the same time, Noss's offer had set Scott's calculations whirring. If that location was worth a thousand dollars to Noss when Victory was not above six hours old, when there was not even a title to be passed in the transfer, ownership being then but a matter of possession, it might be worth ten thousand to somebody else a week hence. It began to

look better than a claim, even the claim in the valley of paradise with the sooner and his fighting wife on it.

"I'll lease it from you, then, and you can name your own figure," Noss suggested.

Captain Scott didn't warm up to the proposal. Noss drew his hand away from the wallet which he had withdrawn from his inner pocket until the end of it—almost as big as a coffin, and quite as black—could be seen in seductive allurements.

"I'll have to gallop on, then," he said, "for I've got to get settled." He started off on a long stride, stopped, turned, came back. "I'll leave you a few of my cards; maybe you'd hand 'em around among your friends?" he suggested. Not waiting for yes or no, he handed out several of his large introductory placards. In one lower corner there was the picture of a coffin; in the other the picture of a hearse. In the center there was printed, in mournful type:

A. F. NOSS

MODERN UNDERTAKER

In A Sad Emergency Call on Me

"I can't put any address on it yet, you understand, but I can be found in the hour of need. If anything happens around here I'd take it as a favor if you'd send them to me. There's competition," he explained, with a grave shake of the head, "sharp competition, unscrupulous competition. I'll take it as a favor."

Captain Scott was so taken back by this bold, business way of handling what he always had felt to be the most delicate of human affairs that he made no reply. He stood holding the large cards in his hand with a feeling of deep aversion for the man and his trade. There was something

sacrilegious about the advertisement, it seemed to him; something like the blatant religion of a posing, commercial evangelist. It intruded upon his sense of reverence like a discord that jarred the nerves.

"I'll raise you five hundred on that offer for the lot," said Noss.

"It isn't on the market at any price," Captain Scott coldly returned.

Noss hurried away. As he was engulfed in the passing stream of dusty men, Scott looked around him for some place to stow the ugly cards out of sight. Nothing else offering, he slipped them into his coat pocket, marveling on the difference between some of the institutions of this world as they are, and as we would have them, for the harmony of our souls and our respect for the people who control them.

Perhaps this eagerness in searching out the dead and running hot-handed to snatch them up and bear them away in his coffins and his hearse which Noss had displayed, was the way of the world in its busy and progressive places. If so, Scott did not like it. Yet, there would be many things done in a manner different from his way, down there among that press of men from everywhere, thought he. Things were going to be different from his established ways of life in Oklahoma. Living would be different; dying would be after strange and violent ways. He would have to pull himself up and look around him with a wider range.

CHAPTER IV

THE EDITOR ARRIVES

AS NIGHT fell upon the vast camp of Victory, lanterns were lit within transparent tents, a proceeding which, if it did not contribute to the gaiety of nations, at least served to lighten the spirits of the new city's dusty crowds. The owners of these thin tents were unconscious of the revelations thus made until they happened to step outside and observe the result of the illumination.

Most of the tents were little better than muslin, having been bought because they would pack into a small compass, and on the additional representations of the peddlers along the border that they were water-proof, sun-proof, sooner-proof, and proof against all the human, animal, and insect pests of the earth and the waters under it. But they leaked lantern-light, no matter what else they might repel or contain.

Merchants had come provided with gasoline torches, which they now lit and hung before their tents or among their piles of goods which had neither walls nor roof to shelter them. Gamblers, who had arrived early and immediately opened their games, now spread their tables with greater boldness and feeling of security. Not that anybody in authority had questioned their right to go as far as they desired, but because one and all of them were crooks of the lowest type, and the walls of night were long and friendly, close at hand to take refuge behind when some victim drew his slow and cumbersome weapon.

Men and boys were laboring in a constant stream between their camps and the creek, bearing pails of red water; fakers and vendors were crying their wares in strident chorus; children were squalling, women shrilling, men shouting in dusty hoarseness. As night came down, everybody with a feeling in him, for good or bad; joy or bitterness; disappointment or triumph over the result of his long waiting for this eventful day and the fruit that it had put into his hand; one and all of these opened their wide mouths and bellowed into the dark. There were more curses than blessings hurled against Oklahoma, its seeming barrenness, its blood-red soil, its thick waters and its woodless plains; more complaints than commendations spoken that night. Every man with a curse in his throat let it take wing, every woman with bitterness in her disillusioned breast gave words to it in barbs which perhaps momentarily eased her own pain, even though they were taken up by the winds of Oklahoma and whirled away in the chaos of that hour like dead leaves from a shivering branch.

All around him as he stood his watch, Captain Scott heard complaints rise from the people, and lamentations for the places which they had left to come to this bare land. The general feeling that first night seemed to be that Oklahoma had buncoed them; that it had promised more than it had to give, or could give, ever.

This feeling was easily understood by Captain Scott. Seven out of ten people who had rushed into Oklahoma that day in breakneck eagerness had come from places which offered no parallel to its peculiar combinations of ceaseless winds, hot suns, and seemingly worthless soil. They were black-dirt people from Iowa, Illinois, Ohio, the lake country, the far East. It was all inhospitable and unpromising to

them. Thousands of them were proclaiming with curses their intention of leaving it tomorrow.

So much the better, thought Captain Scott, nodding his grim head. That was not their country, anyhow; he had not held them in mind through the long years of his labors to bring this land under the dominion of the plow. They were not the disinherited, they were not the lean of flank and grizzled of beard who had roamed and searched and longed. Let them turn and leave, and their anathemas pass with them.

Marion had not come. Indeed, Captain Scott did not expect her to find him that night in all the disorder and confusion. He was not worried on her account, for she would know how to take care of herself. She was a better man, in the sense of fitness in a situation such as that, than most of the complaining creatures who went lugging slopping water pails past his lot. He hired a boy to fetch a bucket of water for his mare. There was forage enough for her supper, at least, on the narrow strip of land that he had taken possession of, and he had come provided with food for himself and water in his canteen.

Captain Scott had finished his supper, and was sitting comfortably with his saddle at his back, smoking his pipe. He could not clear that disordered feeling, that sense of confusion, out of his brain. The undertone of that great noise was deep, and to his ear it seemed to carry a vague, disturbing threat. The nearer sounds, the complaints, curses, cries, shouts of gamblers, high treble of medicine fakers, low persuasion of the soap-game men—all this he understood. But that deeper note, that grave, long rumble that did not cease, was a disquieting thing, like the sound of a rising storm against which he had no protection.

Victory now had become a yellow splotch in the pressing

night. A thousand transparent tents stood around him; a thousand covered wagons displayed lanterns swinging on their bows. It was a strange and marvelous thing, this city put down in an empty country in half of one spring day. Not like a camp of an army, for these people mainly had come to remain, and build, and make their homes. Captain Scott stood to look it over.

"Well, you seem to have standing room, anyhow," said a voice behind him.

Scott turned. He could not see the features of the man who had addressed him, for it was then full night, but the quality of the voice moved him peculiarly. It was like the sound of some seasoned instrument, deep and vibrant, a cheerful voice, enriched by the inflection of culture.

"After a struggle," Captain Scott returned.

"Have to shoot anybody?"

"Not yet," Scott replied, with slow, grave measure which seemed to warn that his past passivity must not be taken as guarantee for the future by any person with the notion of usurpation in his head.

"Some have," the stranger said, Scott's remark seeming to pass over him without hitting.

"Yes, there must have been considerable trouble in an inflow like this. There must be three people for every lot in the original townsite tonight."

"Two men were killed here this afternoon, and a locomotive engineer was lynched up the creek a mile or two for shooting a woman because she walked onto his claim," the stranger said. "No wonder every man I approach puts his hand on his gun and suspects I'm some kind of a crook. Jumpers are doing a systematic, organized business in this town and the country around."

The man laughed reminiscently over his day's adventures.

Captain Scott believed he must be one of the numerous newspaper correspondents who had come in on the tide, from the free manner in which he had gone about acquainting himself with conditions. He put the question, frankly.

"No," the stranger replied, with his peculiar short laugh, "I'm not a correspondent: I'm a whole newspaper — owner, editor, reporter, compositor, and pressman. I'd be news-boy, too, in a pinch."

"You seem to be well equipped," Captain Scott allowed.

"In everything but a location," said the other.

He stood silent a little while. Presently he laughed his short, whimsical little laugh, which sounded as if it might cover a heartache or a physical pain, or mask a sore spirit, or a broken hope. But as an expression of mirth, it was most unusual, indeed.

"I used to run a paper in one of those sandy county-seat towns in southwestern Kansas," he explained; "one of the kind of towns, you know, that puts skids under everything but the courthouse and the high school and moves away some day. We made a bad guess on the railroad when we started that town — missed it by about nine miles — and when it came along everybody moved over to it. I didn't think enough of the town to go after it, and nobody in it thought enough of me to take me by force. So I packed up and shipped my stuff to try my luck down here."

"I hope you'll hit it. Is your material here?"

"It's been here two days, but I got in too late to grab off anything and I'm up against it right now. My name's O'Brien — John O'Brien. I don't carry any credentials but my face, and it's too dark for you to read that. It's a muddled hand, anyhow, even by day."

"You don't seem to have fared very well on its recommendation," said Captain Scott, uncertain whether the man was

what he claimed to be, or only a schemer waiting a chance to dispossess him.

"No; everybody in this land of chaos seems to think I've got some kind of a fraud to work on them in a new guise. They draw in like snapping-turtles when I approach them with the story of my distress."

The adventurer of many accomplishments shifted his weight wearily from leg to leg, but there was no note of fatigue or discouragement in his voice. He looked spare and frail there in the gloom of night, and Captain Scott softened toward him unaccountably. He began to feel that his suspicions of the man were unwarranted and unjust.

"You intended to open a printing-shop?" he inquired.

"A regular newspaper establishment," O'Brien corrected. "I'm face to face here with the one big chance of my life, after hitting the high places between St. Louis and Salt Lake for fifteen years. I'm fixed with a job-press to get out a bulletin that will fill the field till I can get my press set up — give them the land-office rulings and general information for beating the grafters that are swarming here like grasshoppers. I can make a stab at the local news, shootings, and things like that, you know, all in pill form. When I get my press up, I'll do it right."

As he talked, the newspaper proprietor-editor seemed to sparkle with the eagerness of his life's one big opportunity. He put the feeling of it into his hurried words, and emphasized it in his deep inflections.

"But you haven't been able to find a location on any kind of terms?"

"Terms!" said O'Brien. "Everybody wants to make terms with a gun down here. No, you're the first man that's allowed me to get this far. They won't talk business; they

just begin to fidget with their guns and look at me out of the corners of their eyes as they sidle off."

"Everybody's looking out for Number One, I guess, Mr. O'Brien."

"I'm trying to, with this big chance looking me in the eye like a bride. I'm the only man, sir, with a complete newspaper outfit on the ground—it's my field if I can get my feet in it first—but the opportunity is running out like the sands of a glass."

"Scott is my name, Mr. O'Brien. Perhaps——"

O'Brien started at the name. "Not Captain David Scott, the original boomer?" he interrupted, almost rude in his eagerness.

"*One* of the original boomers," Captain Scott corrected.

"Let me tell you something, Captain," said O'Brien, lifting his hand as if to impose silence or beg indulgence. "I met a man along about sundown that wasn't afraid to talk, but he was one of the disinherited, like me, a footless vagabond in the drift of the world. He wasn't afraid of me, for he didn't have anything to lose. He was a tall, bony man with lumpy feet. He bent forward a little from the hips like he was walking against a wind, and had been walking against it ever since he rose from all-fours, but he had the merriest, heartiest, warmest human eyes I ever saw. His beard was gray-black, and it pointed out ahead of him like he'd let the children hitch a string to it and lead him around."

"I think you must have met Jim Timberlake——"

"That's his name. I wondered if anybody else saw him as he appeared to me?"

"If you'd have drawn a picture of him and put it before me I wouldn't have recognized him any quicker. There's nobody like Jim—he's a man who has been missing it all his life. So he missed it again here, did he? Poor old soul!"

"Missed it, he told me, but he's still got hopes."

"Of course he has; he'll die in some kind of a comfortable hope."

"Timberlake said there was just about one man in this sordid push with a mind broad enough to give me a show, and Captain Scott was that man, if I could find him. He said he'd heard you were here — somebody that came in on a train saw you — and he'd been looking for you."

"I'm glad you stumbled on me in the dark," said Captain Scott.

"There are some people who speak lightly of coincidence," said O'Brien, thoughtfully, "preferring the explanation of luck and chance, but I tell you, Captain Scott, all human life is coincidence, sir."

"It figures largely in our affairs; there's no denying it, Mr. O'Brien."

"Coincidence is everything; history is only a record of it; love is nothing less than an exemplification. There's no story without coincidence, anymore than there's light without two wires. I had about one chance in ten thousand of finding you, didn't I? But look at me! I walked into you as straight as if I'd been pointed at you in a gun."

"You're a philosopher, as well as an editor, I see, like Ben Franklin and a good many inky ones before you."

"No, I'm only a footless vagabond of chance," sighed O'Brien. "But the question before us is, will you permit me to set up my plant on your lot, terms to be named by you?"

"I was about to offer you that when you started to tell me about Jim Timberlake. The terms can wait a day or two."

O'Brien offered his hand; they bound the bargain in a hearty clasp.

"Timberlake's waiting over at the depot with my job-press and type in his wagon," O'Brien explained. "I was going to travel all night if I had to till I found some man big enough to let me in. I didn't want to lose any time after I'd found him."

Within two hours O'Brien had his outfit on the captain's lot, his job-press set up, and himself at work at his case, his assorted type having been brought to Oklahoma in shot sacks, all ready to dump into their proper places. A lantern stood on a pile of boxes at O'Brien's elbow as he worked, his giant shadow, like a prophecy illustrating his own lively hopes, stretching across the grass. He had removed his coat, collar, and hat. His sleeves were turned back to his elbows, his chest was bared to the night breeze; his quick hand darted over the case like a feeding bird as he wrote the story of Victory's birth and tragedies in the type.

O'Brien was slight of build and flat of chest, a look of frailness about him that seemed to promise little for the hardships which lay ahead. His arms were bony at elbows and wrists, his fingers long and white. The grime of the day was on his face, which seemed as much a mask of his inner self as his queer laugh was of his emotions. It was a thin, long, and narrow face with a long and narrow nose, homely, humorous, unusual. His hair was long, black, and curling at the temples, like that of the old-time, melancholy poets. A little black mustache adorned his broad Irish lip. He was not a man green in youth, nor yet in the gray shade of coming age, but about at the end of his forenoon, it seemed, and nearing the height of his day. Thirty-eight, said Captain Scott, judging him so.

O'Brien's almost comical mouth stood slightly open while he worked, and as the line of type in his stick lengthened he slewed the right corner of his mouth in accompanying

elongation, making the lower part of his face seem to laugh, while his serious eyes were aloof and unconscious of its mirth.

As the editor worked at his case, which was his desk as well, the type clicking quickly and steadily in the stick, the noises of the new city began to dim and die. The tired people put down their vigils and suspicions; the dusty gamesters folded their little tables whereon the elusive pea flitted from shell to shell; the satisfied merchants turned out their blowing torches; the wailing children went to sleep. Only the sentinel soldiers walked their beats in that weary city, and the editor of the new paper stood at his task.

Captain Scott left him at it when he laid himself down near his horse. Later in the night he woke at the sound of the regular stamping of the little press, lifting himself to his elbow, watching the unwearied editor, now turned press-man, kicking off the first impression of the paper.

It was an inspiring sight, with the darkened tents all around holding their sleeping thousands, each wrestling with his troubled dreams, waiting to wake by and by and read what had been wrought in the hours of that night. The editor bent over the little press, his lantern still magnifying his shadow until his arm was like the shaft of some great, invincible machine, until the little dodgers which he placed in the press with the deftness of his practiced hand were enlarged to the proportions of mighty sheets.

Captain Scott nodded, and nodded again, with satisfaction and approbation, before he laid down to resume his sleep. Enterprise such as John O'Brien's deserved success. If that land withheld it to such as he, then it must be to the fettering of its own wings in its flight to its place in the stars.

With sunrise the first copies of the *Oklahoma Daily Bul-*

letin were being cried among the swarming tents. While boys and men circulated it at five cents a copy, the editor kicked away at printing the reverse side of the last run. Before seven o'clock the entire edition of two thousand copies had been sold.

It was only a little four-column, ten-by-twelve paper, printed on its two sides, and it had many typographical tangles in it, for its editor had been too pushed for time to make corrections. But it had something about it that seemed to loom big and portentous, like the shadow of the editor when he bent over his press in the night.

Captain Scott gave the editor his congratulations where he stood at a box, counting the proceeds of the night's work. O'Brien looked up, a humorous, one-sided smile on his queer, crooked face. He thanked Captain Scott warmly for his praise and good wishes.

"But true to my trotting form, Captain, I've bungled it again, in spite of all my opportunities," he said.

"How is that?" Scott inquired, looking about him with puzzled face for indications of disaster.

"I've planted my whole outfit, with the exception of this box, on that young lady's lot," the editor explained. "I didn't notice it till this minute, but there's the stake."

CHAPTER V

A MAN OF LAW

FROM his situation Captain Scott could see the land-office, which had been established with considerable foresight on a little hill. The crowd of men and women waiting around it to file was large, and increasing every moment. He knew, from what he had read in the *Bulletin*, that hundreds of them had taken up line before it on the day past and had held their places all night.

Over there somewhere he hoped that Marion had found her way and a place to camp. But he doubted whether she had been fortunate enough to find a camping place anywhere on the townsite, where suspicion had killed the spirit of hospitality.

He looked the scene over as far as he could see through the tangle of ropes and canvas, hoping that he might single out his own wagon top. Morning had brought its change into the spirits of the people. The sounds of fretful complaint and curses of disappointment had given place to cheerful talk and loud laughter. Satisfaction seemed to have settled over the tents. It was hot and dusty already, even so early in the day, but nobody appeared to be hitching up and driving away from his chance in Victory.

Jim Timberlake had driven his old rack-o'-bones team to the back of Scott's lot after moving O'Brien's machinery over the night before. His high-wheeled wagon, its torn, blackened canvas which had felt the suns of many states waving its tatters and patches in the wind, stood there with

an aspect of age and utter weariness. It was an archaic vehicle with paneled bed, extra broad of gauge, hubs as big as kegs, narrow tires worn thin from journeyings and roving up and down through many a restless, homeless year. It was gray with lint on axles, planks, and spokes, not a flake of paint remaining on it, if any, indeed, ever had graced it in the past. A water pail swung from the hinder axle, a feed box carried at the end of the bed. Here Jim's bony horses fed, flinging oats to seed Captain Scott's lot as they threw their heads to flanks fighting off the swarming flies.

Jim was a harmonious note in the scheme of wagon, trap-pings, and team. He was as O'Brien had described him, even to the out-pointing beard. He chewed tobacco with short, choppy strokes, which caused his whiskers to wag in a merry way. What time he was not chewing, he was whistling some low, indefinite strain between his teeth, more like a hiss than a tune. His feet were plagued with bunions, which had twisted his old toes and enlarged their joints, and he was a gaunt and bony man.

Jim's eyes were as bright as an October sky, his smile as ready to ripple as still water, his voice brisk, with a laugh in it at the least excuse, and loud above the voices of other men of more consequence, and less. His trousers were gray in the back and blue in front, where they had been patched with half an overall leg on each thigh; his faded blue flannel shirt lacked a button at the collar, his hat drooped like a frosted rhubarb leaf.

Timberlake was a "mover," one of the tribe once so common in the mid-western states, a man who went seeking a refuge from world's beginning to world's end, never gaining enough in his roamings to buy a rod of land. Jim had begun his home-seeking in his native Kentucky, and from

there had hastened off, as soon as he was married, to the lure of Missouri. Missouri had failed him, and Texas had beckoned; Texas had fallen short of his expectations, and Kansas had called. When Jim reached Kansas, the government had no more land to give away in a part of the state where he felt that he could live with his whistle in his teeth and his smile in his eyes. Colorado was the place for Jim.

But the mover always arrives too late. After Colorado, Arkansas; after Arkansas, Kansas once more. There he had become acquainted with Captain Scott, and there, with the soundings of this new land of promise in his ears, Jim had waited several years with his big family of little people. He had made the run into Oklahoma, and again he had arrived too late.

Now he was sitting on his wagon tongue in the early morning sun, his beard pointing toward the north, where he had left wife and children, whistling his little tune between his teeth. There was a cast of trouble, of anxious thoughtfulness, on his seamed, tough face. It is time for a man to square off and think, perhaps, when the last of his attempts on life's riddle has failed.

Captain Scott went to him and laid a hand on his shoulder.

"Jim, I lost that piece of land I'd been setting my hopes on so long," he said. "I picked up this pitiful little strip, just about big enough for my grave when I'm done, and I'm not sure yet whether it's mine."

"Well, I made a good run, and I lost, too," said Jim, distending with a big sigh, which he released, and looked up then with a smile as if he had blown on that breath all the light and vexatious troubles of his life away. "You're ahead of me, for I didn't even land on a lot. But there's something in this country for me yit, b'jigs! I'll hold on;

the Strip'll be opened before long—everybody down here that failed to git a claim's demandin' it—and maybe I'll grab me a piece of land up there."

"I hope so, Jim."

O'Brien had stopped at the little tent on the lot adjoining as he came back from breakfast. The young woman who was holding down that property was having difficulty with her fire, which had burned out before her coffeepot was more than warm. Her only fuel had been part of a light box which she had picked up, and now O'Brien, with the gallantry of his race, was lending a hand. He contributed one of the boxes in which his machinery had been packed, and when he had her fire going properly he sat down beside it, just as though the business of the world had been begun and finished. Timberlake looked across at the pair, his smile breaking into a laugh.

"That Irish feller's settin' up to that sooner girl already, makin' headway like a house afire," he said.

"How do you know she's a sooner, Jim?" Captain Scott inquired, looking at him quickly.

"Neighbors all say so. A soldier told me last night he saw her come out of the brush down by the crick before noon. He advised me to jump her lot, but I ain't around snatchin' a little piece of dirt out from under no woman, sooner or no sooner."

"Of course not," said Scott. Then, reflectively. "But she was there when I arrived. I wondered at the time how she made it, afoot and alone, and why she hadn't taken the corner lot."

"Flew, maybe, and couldn't see the stakes," said Jim, lightly.

"For all that either you or I care, she flew," Scott granted.

"Well, if he wants me to haul over that press and stuff, b'jigs, he'd better be kickin' the grass," said Jim. "Pretendin' to be in the all-nation of a sweat before he went to breakfast, and me up at daylight to git an early start."

As if he remembered the matter of the press, or Jim's words had carried and roused him, O'Brien cut short his pleasant visit with the sooner girl, gave her a courtly bow, hat in hand, and left her to her breakfast. He sent Jim after the rest of his machinery and plunged into the business of getting ready for the next issue.

O'Brien had come back from breakfast clean and refreshed. He explained that he had discovered a barber, who had opened a laundry in connection with his shop.

"I got his advertisement, and one from the bank, and a four-inch display from the grocery right up there," he said, upending a small box beside a big one and sitting down to write. "Captain, our neighbor over there says you've got the laugh on her, dead to rights. She tells me she beat you here—thought all the time she was on the corner lot till you rode up and took it."

"I'm sorry, but I don't see how we can fix it now," said Scott.

"She don't expect it—she's game, game a little woman as I ever saw. But it is something of a joke, you'll have to admit, to miss a fortune by fifty feet."

O'Brien dismissed the sooner girl, and her close shave for a fortune, at that, bending over his paper. As his pencil crossed the page, the right corner of his mouth began to elongate, as Scott had noted by the light of the lantern when he was setting lines of type. But the transformation of that homely organ was more rapid and alarming when the editor wrote on paper. The corner of his mouth reached around so far toward his ear that it seemed to threaten to

swallow it, but on completion of the line it resumed its normal shape.

All the time, above this comical contortion, O'Brien's serious, melancholy eyes seemed to shame away any thought of humor in one who beheld him laboring thus. His eyes were large and blue, arched by delicate black brows such as a woman would have owned with pride. His thin nostrils were as sensitive as gossamer in the wind. Captain Scott thought he looked more like a poet than a business man, wondering as he watched him what he would make of his opportunity in that raw, rough-handed land.

At that point in the history of Victory's second day, Noss, the modern undertaker, made his appearance at the open-air, newspaper office. He carried a copy of the *Bulletin*, which he waved to Captain Scott in greeting as he came on.

"Here's where you're located, is it?" he said to O'Brien.

"I am rooted as firm as a rock," the editor declared, lifting his face, which slowly assumed its normal lines of expression, like a plastic mask.

"I've been lookin' high and low for you," Noss said.

O'Brien studied him curiously. "Not a sheriff already?"

Captain Scott introduced the undertaker, who immediately drove to his business. He wanted to put an advertisement in the paper, and he wanted it made big.

"How much space do you want?" O'Brien asked.

"I'll take a page."

The editor rose in stiff dignity. "There's nobody in this town rich enough or great enough to buy a page in the *Bulletin* today," he said. "You can have one inch, exactly one inch, fourteen agate lines, and it will cost you fifty cents a line, in advance."

"One inch!" protested Noss, fetching up an engraver's

plate out of his coat pocket. "Why, you couldn't get the coffin in an inch, let alone the hearse."

"You'll get neither coffin nor hearse in this paper today," said O'Brien. "It's only with a view to your future business that I consent to give you as much as a card. After I get squared around, Mr. Noss, and fixed to get out eight pages daily, you can have your page, two pages if you want them, and run in coffin, hearse, pall-bearers, and a cut of the deceased. But not today, Mr. Noss, not today. Space in this paper today is as precious as water in Tophet."

"Well, then, just run my card," said Noss, presenting it, "and cut out the rest. I'm located right across on the opposite corner," he explained to Captain Scott. "Leased it from old General Taylor, of Newbrasky — you know him, I guess?"

"No, I never met him."

"He's a big feller up there, and he'll be a big man here. He goes around in a Grand Army suit and a gray beard that spreads out like a turkey gobbler's tail when the wind hits him in front. Well, I'll be stirrin' along, and—" to O'Brien — "if anything happens around here, or anywhere you're at, send 'em to me, will you?"

"If necessary to promote your prosperity in this new land, Mr. Noss," said the editor, gravely, pausing half bent as he was sitting down on his box again, "I'll even take my gun in hand."

Noss gave him a look half suspicious, half serious. "You're a funny feller," he allowed.

Noss hurried away to superintend the construction of his building, the skeleton-work of which was already rising. Captain Scott looked after him, not considering him, but thinking of Marion. No matter for her weapons of defense and her self-reliance, it was an uncertain place for a young

woman to be thrown into alone. Perhaps the sooner and his wife had not told her where he had gone, and she had not come to Victory at all. He believed he could trust O'Brien to respect his claim to the lot and keep it clear of jumpers until either he or Timberlake returned. He spoke to the editor of his concern for his daughter's safety. O'Brien urged him to go at once and seek her.

"It will be a pleasure to take a shot at any marauder," said he, lifting his grave eyes.

Captain Scott thanked him, and turned away to saddle his horse. O'Brien called after him, apologetically.

"I hope you'll not take it as a breach of hospitality, or a spurning of favor," he began, "but I've arranged with your neighbor—Miss Johnson, she tells me her name is—to put my press over there."

"Set up wherever you find the best terms and conditions," Captain Scott advised.

"It isn't a matter of terms, but conditions," O'Brien explained. "The ground's level over there, where your lot slopes a good bit; I can set up my press there without a foundation. You know, Captain, I'm not burdened with money right now."

"Go ahead, and good luck follow you, wherever you locate," said Captain Scott, heartily.

A little crowd had gathered in front of the open-air, newspaper office and stood watching the editor at work. As Captain Scott brought his horse, saddled and ready to mount, a man pushed through the rim of these spectators and approached him.

"Captain Scott?" said he, more of a hail than a question in his voice.

"Yes, sir," Captain Scott returned, drawing himself up with unconscious dignity.

"Burris is my name," said the man, offering a huge hand. Captain Scott accepted the proffered paw in a hesitating, questioning way. "I've come to tell you that Miss Scott is safe and sound, sir, but more than a little anxious to hear from you."

A light of relief leaped into Scott's stern face at the stranger's words. He shook hands with Burris again, this time on his own initiative, thanked him warmly, and asked for particulars.

"Miss Scott gave me a lift yesterday after I lost my horse. I owe a great deal to her, sir, and to you."

"I am sure you deserved it, Mr. Burris. You are under no obligations to us. My daughter made it here all right, then?"

"She camped across the railroad on a claim a man from Wisconsin is holding down, a genuine white man, Captain Scott. I had the honor of sleeping under her wagon last night."

"The time may come, Mr. Burris, when we can offer you a better bed."

"Never a better or more gratefully received in this world," said Burris, in the deepest gratitude.

"Allow me to say, at least, that I hope the country will repay you for your initial hardships by and by."

"Things are beginning to brighten on my horizon already, Captain Scott, thank you kindly, sir. There were four jumpers on that Wisconsin man's claim before sundown; he has retained me to defend his title in the courts."

So it came out, delicately and incidentally, that Mr. Burris was a lawyer. Captain Scott said he was certain the Wisconsin man had displayed uncommon wisdom in his choice of an attorney, at which compliment Burris grew red in the face with a modest mounting of blood, and shook his

head as if to express serious doubts of his own on that score.

Burris was a long-legged man in a black coat which struck almost to his knees. It was very tight across the shoulders, and very much worn, the original dye having taken on a greenish tint in protected spots. The sleeves were far too spare and short for Burris' long arms, his immense cuffs, almost as big as stovepipes, protruding glaringly beyond them. His wrists were strong, great boned, and painfully red in the evidence of the late application of strong bar soap at the creek side. He wore a little brown felt hat with round brim, which turned up like a clown's, and he was a man of strong countenance, clear, broad forehead, hard of jaw-joint and chin. His face was weathered and brown, smoothly shaved, clean from the razor not two hours past. In fact this scrubbed and rinsed cleanliness was one of the striking characteristics of the man, even to the frayed linen which he seemed to have treasured for some big occasion, such as this invasion of Oklahoma. His nose was large, his ears appeared almost as big as his own broad hands under his ridiculous small hat. All over, Burris looked like a man who had borne a great many sharp knocks, and who stood ready to give and take more, as they might come to him in the course of the day. He appeared to be anywhere between thirty and forty years of age, for he was of that type which never is extremely young and never grows dependently old.

Captain Scott left his saddled horse on the lot, along with Editor O'Brien, to hold possession during his absence and, with Burris leading the way, set out to find Marion and bring her home.

It was a delicate task to pilot the wagon to Captain Scott's lot through that confusion of tents, which the owner

of every one of them believed to be the seed of a mansion and the germ of his fortunes, and guarded with a jealousy founded on such extravagant dreams. Their ropes ran out like spiders' webs across a path in the early morning, crossed and confused and netted in a tangle. Captain Scott wondered how Jim Timberlake had passed through with his broad-gauge wagon, and how he ever expected to get back. It took Scott a good while to accomplish the trip, with Burris proceeding ahead in ambassadorial capacity, or lingering behind to placate some householders whose ropes had been wrenched by a passing wheel.

Neither O'Brien nor Timberlake was there when they arrived at the lot; but a stranger was busily sticking type at the editor's case. The man was bleary and battered, his black beard streaked with gray, his heavy eyelids purple, his nose veined with alcoholic congestion. He removed his hat when Marion descended from the wagon, and stepped forward, his printer's stick in his hand, smudges of ink on his bare arms.

"I was expecting you," he said. "Colonel O'Brien is out; I am in charge of the office."

"Taken on a printer, has he?" said Captain Scott.

"I am his foreman," said the old journeyman, with importance beyond his position, it seemed, seeing that he had nobody but himself to supervise.

"I beg your pardon for the error, sir," said Captain Scott, as grave as any judge.

"My name is Akers, Charley Akers, from the Rio Grande to the Saskatchewan." The printer spoke in slow, soft words, a little whirring thickness in them, as if he might be asthmatic, or his inward channels had become obstructed by fat.

"We're all happy to know you, Mr. Akers," said Marion,

offering him her hand. When he hesitated, with a depreciating look at its unquestionable condition, she laughed. "Don't mind the ink, I'm used to it—it makes me think I'm really home again."

Her cordial smile drove like a sunbeam directly to the old printer's heart. He tried to wipe the ink off on his thigh before giving her his hand, but there was a light in his face which seemed to lift him, and make him proud of his art.

"Are you a newspaper man, too?" he asked.

"In a very small way, Mr. Akers. This is my father, Captain Scott, and this is Mr. Burris, attorney, who has come to conquer Oklahoma."

Burris appeared embarrassed by her facetious pretense to discover his intention. His bronzed face reddened, he made a little clumsy gesture as of denial or protest with his big hands. Charley Akers shook hands with the men in ceremonious fashion, which had in it a suggestion of better days.

"You will pardon me if I turn back again at once to the call of duty?" he appealed to Marion. "The lady next door shot a man in the leg a few minutes before you arrived. I am writing the story."

"Shot a man!" said Marion, shocked by her neighbor's wild behavior.

"He was trying to jump her lot, he raised the question of her right of possession, and called her a sooner in loud and insulting words. She pegged a bullet into him, very neatly, and without argument over the matter at all."

"She's a rather sudden young person," said Marion, with curious interest.

"No gentleman will blame her," the old printer declared. "It's everybody for himself in this lawless land today, Miss Scott, and gentlemen."

Back again to the case he hurried. Marion looked across to the scene of the shooting, where a tall, handsome woman, little older than herself, was walking a determined beat across the front of her lot. She was dressed in brown duck, her skirt shockingly short, it seemed to Marion, and adorned with those garish trappings such as squaws sew on their garments. There were glittering things of tinsel along the seams, fringes, rosettes of red. She was bareheaded, the sun glinted on her rich fair hair, and on the bright revolver that she carried uncovered in her hand. She was the first theatrical, unreal-looking figure Marion had encountered in all that heaving throng. She had seen a woman dressed in that fashion shooting glass balls in a circus once, but never had met one at large in the open world before.

The crowd, drawn by the shooting, stood back from the spectacular young woman's line a respectful distance, looking on silently as she walked her beat, more interested in her appearance and the show she was making of herself than in what she had done. The tail of the gathering reached over past the newspaper office where Charley Akers was at work, but the claim-jumper who had felt her bullet was not among the interested watchers.

"He was right, she's a sooner," a young man said. "She was there when I come, and I can tell you, folks, I split the wind. The soldiers told me she was on that lot a quarter past twelve, long before a train got here or anybody could 'a' made it if he'd 'a' come by telegraph. If she ain't a sooner, gentlemen, what is she?"

Nobody appeared to be able to define her standing in a better term. The spectators shifted and shuffled and craned necks a little over it, and let it pass in silence, not in humor to invite another bullet by open and unrestrained comment.

"Well, he had a right to jump the lot, I reckon," said

a dusty lean man with a long guttered neck, "but he made a mistake takin' up a quarrel with a woman. Nobody won't stand with a man that tries to edge a woman off, even if everybody knows she's a sooner."

"You're right, pardner," another man yielded; "a woman's got to be give some advantage in a pile-in-and-grab game like this was. The gover'ment had a right to make some kind of a special act for women folks."

"Yes, and that'd 'a' been one fool piece of business!" snorted an ungallant pioneer.

Lawyer Burris was running his gray eyes over the crowd, measuring and weighing the men in it as if he searched for someone worthy to take up with him the battle for the weak against the unscrupulous and the strong that soon must open in that dusty land. Marion watched his face, immobile as some product of the statuary's mold. She could not read anything in it beyond what appeared to be a cumbering modesty, and honesty which did not seem to promise well for his success, according to the traditions of his profession. If it called for a shrewd and unscrupulous man to make a figure at the practice of the law, then Attorney Burris would seem to have taken up the wrong thread.

Evidently there was a groundwork of worth in the man, a quality of strength in his homely face that promised much if it could be applied. He appeared to be clouded in contemplation, or indecision, or confusion. This wakening as he stood now searching, sounding, probing to the heart of that little crowd of far-gathered men was the first stirring of the depths that she had seen. Before that she had noted only the transformation of his smile. This was not easily provoked; it came only as a quick kindling in his somber gray eyes, a slower breaking on the strong, determined lips. But it was a thing that seemed to flash from his soul,

revealing something beautiful and precious beyond the possessions of common men.

As she saw him now, standing with great shoulders back like a general, his bony chin lifted, his wide nostrils distended like a stallion's when he stands scenting a danger that he cannot define, she was conscious of the presence of a man. A man whose efforts had been misdirected, perhaps; wasted, maybe; but a man of force who was beginning to see the gleam of his opportunity, the coming of his hour. She wondered what he would make of it when he held it in his hands.

Captain Scott was setting up his tent. Lawyer Burris fell to with willing and capable hands, putting back his coat from contact with wheel and hub as he passed the wagon as tenderly as if he wore a sacerdotal garment. It was evident that black coats did not come every day to the back of Lawyer Burris, and that, long as this one had been with him, there was no immediate prospect of another to take its place.

"You've come to a land of trouble; you'll have your hands full," said Captain Scott.

"Yes," Burris agreed, looking about him again with that comprehensive weighing and rejecting sweep of the eyes as he stood straight from his labors for a moment. And again presently: "Yes."

"I don't suppose you got here in time to pick up a lot?"

"No, sir; I came too late. I started on a fairly good horse, but I was too sanguine in my estimation of the outcome of my race. I parted company with him at the Cimarron; maybe I threw my chance away."

"All of us have done that in our time," Captain Scott consoled him, seeing how deeply the strange, inscrutable man appeared to feel this broken opportunity. "There'll

be plenty of lots to be picked up for a song in this town within the next month, unless my calculations are all wrong. People will get tired of holding them down when they fail to realize on their expectations; they'll give them up, and move on."

"Yes, there must be something to feed a city besides hope," the lawyer said, his words thoughtfully slow.

"If you haven't found a better location, you're welcome to put up your tent here," Captain Scott offered.

Burris lifted his head quickly, a flush of grateful acknowledgment in his face. But he shook his head, waving his hand toward the effects of Editor O'Brien which cluttered the ground near the captain's tent. "You can't take in all the homeless dogs, Captain Scott," he said.

"He's going to move over to the lady's lot," Captain Scott explained. "He got over the line with most of his stuff by mistake last night, and now he's going to establish himself there."

"In that case," said the lawyer, in eager hopefulness, "I'll be the most grateful man on earth for your offer, sir."

"Come whenever you like and stay as long as it suits you," Captain Scott invited, with every confidence in the probity of the man before him.

Burris thanked him gratefully, even though not profusely, wiped his hands very carefully on the tent flap, studying the situation and the general lay of the land.

"You've settled on one of the best lots in Victory," he said, "one of the few that will be worth considerable money at no distant day. It's central and conspicuous, a fine location for a hotel."

Captain Scott said he trusted it might turn out all that the lawyer's prophetic eye saw in it, and Burris turned to the wagon, whence he took a grain sack containing some-

thing bulky and oblong, showing corners like books. This he put carefully inside the tent.

"My library," he said, with entire gravity and apparent sincerity. "I wonder if it will be in the way there for a little while?"

"It will be safe; we'll look after it," Captain Scott returned, a smile increasing the wrinkles at the corners of his kindly eyes. It was diverting that a man of so much bulk as Burris should have so little humor in him.

Burris said he would go at once and buy a tent and such other articles as he lacked to make him comfortable in that unfurnished city. As he disappeared in the passing stream, Marion laughed.

"There are three books in it," she said, touching the sack with her toe; "he told me the names of them yesterday, but I don't remember them now. Mr. Burris said they were all any man needed to be a successful lawyer."

"He doesn't appear to have traveled very far on his way with them," her father remarked, looking speculatively in the direction Burris had gone.

"Maybe there's one too many," she suggested.

"Or it might be one too few," said he, his grave face unlighted by a smile.

"I don't believe, seriously, that Mr. Burris is a man who stands by books and what's in them," she said. "Precedent isn't going to bind that man's feet if he ever gets to going on his own road."

"I formed the same opinion of him," Captain Scott nodded. "He's a man who will crush his way like an elephant through a canebrake if he ever makes a start. There's a story behind that man, somewhere."

"But a bigger one in front of him," she said, her eyes fixed in a dreamy, far-seeing look, as if she saw the future

like a mirage over the tents of Victory in the morning sun.

Marion knew, however, that her father's thoughts were not very deeply concerned with Burris, his past history or future hopes, but on what he had lost the day before. They sat on the wagon tongue, talking of the lost claim and their chances of ever regaining it, as if it were something they had owned a long time, and held dear above everything else the earth contained.

Marion recounted her experience with the surly sooner and his wife, who had received her with sneers and directed her with mockery.

"I gave it to them good and hot, too," she said, her eyes reflecting the anger that had surged in her indignant breast. "I told the old slinker he was a sooner, and I had a good notion to take a shot at him, swelling around there on our land like he owned the earth! I could have run them both off, just as well as not—I had them before me like a couple of sheep."

"I ought to have hung around there in the brush somewhere and waited for the man of the family to come," said Scott, his eyes showing his gladness for the spirit he saw leaping in her hot young heart.

"I wish you had," said she, seriously.

"Never mind, Marion; I doubt if it's worth fighting for—killing anybody over, anyhow."

"Maybe Mr. Burris could put them off," she suggested hopefully.

"I'm afraid not. The Department of the Interior has ruled that the first person to make improvements on a claim will be considered above all other claimants, no matter who makes application to file, or when. That seems to shut us out on that place for good. That sooner will have plenty,

of friends of his own stripe, officers of the law, maybe, to stand up and swear for him when the time comes. We'll drop the claim, and all thought of regaining it, Marion; this lot beats it for a quick turn and easy money."

He told her of Noss' offer for it, the news of which brightened and cheered her greatly. She began at once to compute from that basis what it would be worth, in proportionate increase, a month from that day. The prospect was very comfortable from the point of figures, to be sure. She turned in a sort of arithmetical enchantment to arrange the tent that was to be her home, coming first to Lawyer Burris' library, which she had to move aside to make room for her little tin stove.

"Do you know, father," she said, coming to the door with the bag of knowledge in her hand, "I believe Mr. Burris is a kind of a sooner, too?"

"A kind of a sooner? I didn't know there was more than one kind." He smiled, glad to see her so rosy and fair, the gleam of happy expectation again in her honest eyes.

"I don't believe he *meant* to be a sooner, but I believe the only horse he rode to death was the horse of his imagination. I overtook him just after leaving that sooner outfit on our claim, looking so draggled and tired with his sack over his shoulder, and there wasn't a dead horse within a mile of him. I kind of think, maybe, he must have slipped in the night before."

"Maybe he did," her father agreed. "The gullies were full of sooners for days before the opening, they say."

"I thought at the time he might be a sooner, but I gave him a lift, anyhow, because he looked so comical."

"It was a queer reason for taking a footsore man up, Marion, but not entirely unjustified. Mr. Burris is con-

siderable of a figure, with four inches of hard cuffs sticking out of that coat."

"Even if he was a sooner, I forgave him for it," she said. "Poor man! You can see *he's* never had more than half a show in his life."

"I hope he gets a full whack at it here, then."

"So do I," she said, nodding her pretty brown topknot of hair in the best wishes for Lawyer Burris' success that blessed any man, married or single, on the townsite of Victory that day.

O'Brien returned in the middle of the forenoon, sweating and on the jump. He came over to enlist Captain Scott's help in setting up a tent he had bought to shelter his machinery. Scott called Marion from her household cares and presented her to the editor.

Marion was still wearing her soldierly blue serge with the brass buttons on it, for she had slept in it the night past. And there was such a freshness in her face, and a warmth in her hair, and a look in her eyes which seemed to tell that she knew nothing at all of the guile that hid in the hearts of men, that John O'Brien caught his breath sharply when she appeared, as if a wind had struck him. He bowed over her hand, his long locks sweeping forward over his eyes, made his compliments, putting away the business of his hurried day as if the world had nothing to do but stand aside and wait upon his gallantries.

"Charley Akers told me there was another newspaper man on the ground," he said.

"A kind of a one-horse newspaper man," she laughed. "I used to work on a county-seat weekly up in Kansas, but I never was a great editor."

"I think I'll enlist you," said O'Brien, half seriously; "I'm buried in work already."

"If there's anything I can do to relieve the pressure, call me over," she offered, ducking back into her tent.

Jim Timberlake had navigated the sea of tent ropes successfully several times; O'Brien's press and engine were being set up on the sooner girl's lot, at the side farthest from Captain Scott's line. The editor said it would be two or three days before he could get his plant in operation. He begged permission, meanwhile, to scatter his traps around on Captain Scott's lot.

"I guess you'll be glad I didn't encumber your ground any more than I have done," he said, "for you're pretty well crowded with the disinherited without me." He nodded, with his wry smile, to Timberlake's outfit on the back of the lot. Jim was unhitching his team, already quite at home.

"I've just taken in another one," said Captain Scott, "but they're welcome as long as they can find a place to stretch their legs at night." He told of the advent of Lawyer Burris. O'Brien shook his head in discount of such open and unquestioned acceptance of the footless of the earth.

"You ran a chance when you took in an editor in the night," he said, "although, taken as a class, editors are not much given to conquest by force. But a lawyer, even in broad daylight, will beat you if you don't muzzle him at the start."

"Wait till you see him," Captain Scott suggested.

Even as they spoke of him, Burris appeared. He carried a signboard nailed to a stake, such as real-estate agents use in announcing property for sale, with "JUSTIN A. BURRIS, LAWYER," painted in white against a green background. He had a tent in a bundle on his back, his groceries and cooking utensils wrapped in it, the poles of

it under his arm. His pockets bulged with packages, the aroma of coffee followed him like a wind from Araby the Blest.

Captain Scott gave him permission to put up his tent on the side of the lot next the sooner girl. Burris drove the stake of his sign in front of it and removed his library from Marion's care. For the want of a case to lodge the three all-sufficient volumes in, he hung the bag on the forward pole of his little tent. Anybody with a half-educated eye could see that it contained books, and books of consequence, from the weight of them in the sack.

CHAPTER VI

THE SOONER GIRL CAFÉ

JUSTIN BURRIS borrowed a packing case from Editor O'Brien, which he placed just within the door of his tent for a desk. Upon this he stacked his three law books, made a business-like spread of paper, pens, and ink, skirmished around the undertaker's new building across the road until he found an empty keg which had contained nails a little while before. This he stood beside the box for a stool, making a cushion for its sharp chime out of a bit of waste hay and the sack that had carried his law library into the Land of Last Chance.

Marion Scott watched these homely preparations as she came and went between wagon and tent, thinking more of Lawyer Burris for his adaptability to his raw circumstances, moved by a tender pity for his preparations to meet the flood of his long-deferred hope. She marveled that his heart had not grown weary long ago waiting for the turn in his uphill road, and wondered where he was going to sleep, for he had no bedding, and where he was going to cook his food, for he had no stove. But neither the bareness of the past nor the unfurnished state of the present could put a droop in those broad shoulders and upstanding back, nor cloud the clear hopefulness of those steady gray eyes. More than ever, as she saw him sitting at his improvised desk, she felt that she was in the presence of a mighty man.

The sooner girl was the first client to come to Justin

Burris' door. She came with a bearing of hostility about her, the bare pistol in her hand, a suspicious turning of the head in watchfulness, a hesitant step at the line of her little domain. Burris sat her down in his place, advised her to sheath her bright weapon, unburdened her of her suspicions and fears in ten low-spoken words. Marion Scott's wonder over the man grew as she watched him in this first conference in his canvas office, almost leaping its bounds when she saw him refuse the money that the sooner girl produced with a grateful eagerness at the end of the visit and laid on his desk.

Marion was so filled with the marvel of this unheard-of thing between lawyer and client that she told her father about it, with the breathlessness of some great news, the moment he returned from helping O'Brien erect his tent.

"Yes, I heard about it," said Captain Scott. "That sooner girl, as they call her, couldn't hold it as long as you—she had to tell us the minute she got home."

"The idea of a lawyer refusing money!" said Marion.

"And when he needs it as bad as Burris does. O'Brien was so shocked he dropped a hammer on his toe. I think he'd put a piece in the paper about it if he had room."

"What possessed him to refuse her money? Did she say?"

"Yes; he told her there wasn't any case against her; that nobody was going to make trouble for her because she defended her rights."

Marion turned her head slowly and looked at this unaccountable lawyer again as he sat on his nail keg writing.

"I'm afraid he'll never get on," said she.

"I don't know; there ought to be room in the world for one honest lawyer, Marion."

"Oh, there's room enough—I guess Mr. Burris has had more lonesome space all his life than he could fill. What's that girl going to do over there?"

"Start up a restaurant, she says. Her mother will be here today with all the necessary material for business from the jump-off; Jim's already under contract to haul the stuff over."

"It ought to be a good business in this location. We seem to be right in the heart of things here; I'm glad you didn't sell out to that blatant undertaker over there."

"Well, I'm kind of glad of it myself," Captain Scott smiled, his face reflecting something of the eager alertness which she had seen in the faces of other men in that hurrying new city whose foundation was red dust. It was a look of expectation, of broadening hope, where worriment had worn its gutters in the past uncertain days.

Mrs. Johnson, mother of the sooner girl, arrived from Arkansas City on the noon train. She was a wrinkled little old woman, about the color of a dried peach. She had a hooked nose, like a pirate of romance or a parrot of fact, and her mouth was bent down at the corners as if it had been cut out with the top of a baking-powder can. She wore no headgear and very little hair. What she possessed of that natural adornment was a coal-ash gray, pulled back as if she held a spite against her eyebrows and wanted to drag them back out of sight and hide them. Her ears were weighted with big three-quarter moons of gold. She came following on a rod behind her daughter, who had gone to the station to meet her, a bundle done up in a turkey-red tablecloth slung across her shoulder.

Marion was diverted by the appearance of this romantic-looking figure. She stood in front of her tent watching the little procession as it crossed her father's lot, wonder-

ing what kind of a noise the old lady would make when she talked, and what kind of a neighbor she was going to be.

Mrs. Johnson put her bundle down on her daughter's lot, scraped her bent finger across her forehead to clear the sweat which was streaming down into her wrinkled old hawk eyes.

"It's hotter'n hell here, Reno!" she said.

Her voice was so peculiarly pitched that it would have asserted itself above all the din and turmoil of Victory if it had been concentrated in that spot. It sounded strained and hoarse, like a shouting evangelist's on the fifth day of a revival, and it seemed an unaccountable noise to issue out of a little dry creature whom one naturally expected to squawk.

She said more after she had relieved herself of that first comment on the climate of Oklahoma, all of it audible across the fifty feet between her and Marion's tent. Reno, as she called the sooner girl, carried her part of the conversation in a low, subdued voice that did not betray her words at that distance. While the old woman unpacked her bundle, Jim Timberlake drove up with a load of stuff which had arrived on the train with her.

This turned out to be a rather large tent, a stove, tables, chairs, cots, bedding, utensils, and boxes of supplies. All the necessary equipment for opening an eating-house was there, and along with it came a little dark man with a boyish face, sharp and eager, and great black eyebrows which he bunched in frowns and lifted in expostulation, and used with as great and effective expression as he did his tongue. He looked like a Mexican, his color that of unsettled weak coffee, his long, upstanding hair, thick and black, growing almost down to his heavy brows.

Marion smiled over the collection of curiosities on the adjoining lot, feeling there would be something stirring in that camp before many hours had passed. The little man seemed to be a sort of general manager on springs. He bounced and bounded, leaped and tugged, rolled boxes, heaved tables. He had a smoke going up out of the big range, and pots set on it for cooking before Timberlake and two impressed assistants got the tent on its pegs.

Order came out of confusion on the sooner girl's lot very quickly. Through all the flurry and bustle Reno moved about in a sort of wild-west dignity, her hand on her hip, her low words of direction on her lips, her pistol slung round her shapely waist. She was the big boss there; that was certain. At a word from her the little man leaped like he was going to fetch her the moon.

As for the old lady, she seemed to belong with the stove, and paired off with it accordingly. She put more pots on, brought cabbage out of a box, salt beef out of a barrel, and soon had an advertisement of delectable vapors sweeping over Victory which must have tickled the ribs of the hungry for a mile.

Reno and the little Mexican consulted over a spread of muslin which he unrolled on a table. Presently he dived into a box and came up with a paint brush and cans, and fell to work upon his design. Meantime, Jim Timberlake was tying back the side walls of the long tent to let the wind blow through. There stood the tables within it, all spread, cloths on them, cutlery in place to perform on the beef and cabbage at the proper hour.

In a little while the bristling Mexican mounted a barrel and fastened the sign he had painted across the front of the tent. The letters in it were red, the trimmings green,

suggestive of corned beef and cabbage. Hungry Victory looked up and read:

THE SOONER GIRL CAFÉ

Short Orders. Ladies and Gents

Customers began to come immediately. The little Mexican served them, a pistol buckled on him instead of an apron. The sooner girl stood at the door to collect the customers' money as they passed out, full and satisfied and feeling as if they had come back within reach of the luxuries of life.

That day's developments in Victory were as swift in other quarters as in Captain Scott's neighborhood, but things were not so peaceful elsewhere in the city. There had been no further trouble with lot-jumpers in that vicinity since Reno Johnson drove the trespasser from her lot with a bullet in his leg early in the day. From other quarters there came news and rumors of wild and bloody scenes. Captain Scott had pictured the situation in a word when he told Burris he had come to a land of trouble. Tricksters were four deep all over the new land of Oklahoma, and one of its chief plague-spots was the city of Victory, dust-red under the April sun.

Jumping claims and town lots had become an organized, systematic business. Gangs of armed desperadoes moved in twos and threes, taking possession of claims and lots in defiance of the rightful owners. In some cases this was done with the announced intention of fighting for the land in the courts, but usually the trespassers made a bold front or a display of force to accomplish their aim, which in most cases was that of frightening the settler to buy them off to save not alone his property, but his life.

The middle-states farmers who rushed into Oklahoma hadn't much fight in them at the beginning, and their rough, strange surroundings quickly drained most of them of both courage and sense. Those who had money to buy the jumpers off, and considered the land worth the price asked, paid the rascals for peace. Others surrendered what they had won by so much labor, and turned back to Kansas, dispirited; a few put their backs against their wagons and disputed the right of the thieves like men.

Some lives were lost on both sides in that manner, but not many, considering the fertility of the ground for the seeds of trouble to take root and grow. The saddest part of it was the breaking, in heart and spirit, of thousands who had come there in high hopes, and the virtual turning over to unlawful claimants a large part of the land. Many of the dispossessed, who lacked the courage to make a physical contest for their rights, and had little inclination to remain in a land where the prospect of tranquillity seemed so far removed, trailed in a melancholy line back over the way they had come so eager of heart but yesterday. They seemed too much saddened by the disappointment, humiliation, and peril which they had faced in Oklahoma to open their mouths and pronounce curses on it as they passed away.

Victory, in those first few hours of its story, was a place of confusion. A matter of days past, the thousands who mingled and struggled, fought, contended, cursed, wailed among its tents, had been scattered over many states. They had come like a cloud of grasshoppers on a summer wind and fallen in that spot without order, system, or guiding line. The ropes of one man's tent crossed those of another; wagon tongues were propped up to make room. Where they so lately had pointed into Oklahoma like compass-

needles of their owners' hearts, they now seemed to appeal to heaven for relief from the confusion of which they had become a part.

Viewed from the hill upon which the land-office stood, Victory seemed a place of ten thousand shirts and hats moving among the tangled tents. Unshaved, unwashed, eyes clouded with suspicion and distrust, men mingled in aimless gatherings, wondering where and how it was all going to come out, and what they were going to receive for their labors when some strong hand took hold of the confusion and set the new city in order on its dusty plain. Men's expectations seemed founded on so little there, looking it over from the land-office hill. All around was a raw land, which no man knew the possibilities of, or whether it would yield or stand barren. There was nothing for a city to feed upon but its own vitals which, when consumed, would leave only ashes in its place.

Two sets of speculators, calling themselves "townsite companies," had found means of evading the regulations and had arrived upon the land where Victory now stood, hours ahead of everybody else. They had surveyed lots and streets hastily, and were first at the door of the United States land-office with plats of their townsites to file when it opened on the morning of this second day.

The government officials in the land-office refused to receive and file either of these illegal plats, just as the settlers ignored the stakes of the surveys when they rushed in the day before. The boomers had taken up not alone the lots, but the streets, and nobody knew where the contention would end. The townsite companies were making loud and boisterous claims, and declaration of intention to carry the matter into the federal courts. They were sending armed men through the clustering tents, attempting to

force squatters out of the streets. Nobody yielded an inch, for the word had gone through the city, sifting down to the understanding of the most ignorant, that the right of every one of the ten thousand inhabitants was superior to that of the townsite companies.

Nearly every lot, besides the overflow in the streets, had its two or three contestants for title, mainly at cross-purposes with each other; most of them irritable and defiant. Between these contestants blood thickened, adding to the general strife set up by lot-jumpers, ending in several killings before the second day in Oklahoma came to its close.

From out all this confusion of mind and senses, tents, wagons, and the miscellaneous possessions of men, poured the whiskered, crumpled, dusty boomers to mingle in the open spaces and talk it over, leaving the women to hold down their claims in their absence. They talked and tramped and raised the red dust from daybreak till midnight, resolving nothing out of the situation but words. Organization was the one needful thing about which they knew the least, for they were men of the farms, and laborers who now believed themselves suddenly transformed into capitalists by this great gift of Oklahoma. Every man of them suspected the other of some base design, some bloody intention.

The military authorities in charge of policing the country urged the people of Victory to organize a municipal government and take up the matter of law enforcement and untangling of their claims and counterclaims themselves. There were but a few troops of cavalry to spread over the entire land; crimes were multiplying every hour.

This suggestion sounded like a message from home to the ears of the politicians who had come in on the big wind, as well as the townsite promoters who saw their easy

money in a way to gallop off and leave them without even an expectation in their pockets. These gentry called a meeting of their own kind, and laid ropes to ensnare the feet of the people, fast rushing into a condition of panic.

On the third day of Victory's existence, Democrats and Republicans—a selected, if not a select, few of each—met and placed candidates for city officials in the field. The candidate for mayor on one ticket was General Taylor, the notable from Nebraska in the whiskers and Grand Army suit, from whom Noss leased the corner. He was president of one of the townsite companies. The candidate at the head of the other ticket was a complacent banker from Kansas, with a red neck, an insinuating voice, a golden horse head on his watch chain. He was president of the other townsite company.

This was such a plain preparation to win, no matter which ticket lost, that the farmers who had become townsmen, and the laborers who felt themselves to be capitalists, could see through it without goggles. They saw their dreams and schemes of sudden riches fading, and panic took hold of their hearts. Shirts and hats never before in this world set in on such a perturbed tide as flowed through the streets of Victory on the day that the nominations were made.

People stood in neighborhood crowds, talking the dark outlook over, or massed here and there in silent throngs while some orator from their own ranks addressed them. It was a scheme of the townsite companies, they said, to draw a line through the middle of the town and divide it between themselves. There would be no justice for a poor man in a deal such as they would make between them. Washington was a long way off, as well as an unsatisfactory place for a moneyless man to carry a grievance.

Each of these public advisors had a remedy to offer for the situation, but none of them appeared to be sufficient. The people turned from one to trail off with grim faces and silent tongues and stand around another. There was only the cohesion among them of leaves harried before a wind. All were driven along by the same unvoiced desire, the same realization of the need of some immediate and mighty action, but each seemed wrapped in the contemplation of his personal trouble, and if he had a thought it was too trivial to turn out to the light.

From his place on Captain Scott's fifty feet of frontage, Justin Burris surveyed this heaving, troubled, laboring movement of the people on the afternoon of Victory's third day. Clients had been consulting him since early morning. Some of them had left retaining fees in his hand, more of them had been too poor to give him even a definite promise, but no man, no woman, sought his ear with their troubles in vain, or went away without the assurance that the lawyer would stand up in court for them on their day if their contention appeared just in his eyes upon investigation. There was that about the man which invited implicit confidence.

There was a little clear space in the street before the sooner girl's lot, which a man had tried to hold for two days and given up. In that breathing room they were milling like cattle, the crowd reaching over to Captain Scott's lot, engulfing the front of it. Here and there little eddies moved slower around some central figure who was laying it off with outspread hands, but mainly they walked in aimless way, distraction in their uneasy eyes. Perhaps because the ground was open there, they had assembled without intention, and all who saw from a distance came and were drawn into the sullen whirl.

Captain Scott was studying the restless mob with grave face. Burris crossed over to him.

"They need a leader," the lawyer said.

"Yes, they're headless as well as heartless."

"The right man could take that crowd by the hand and lead it like a mother leads her child," said Burris, looking over the hats and shirts with thoughtful eyes. "A strong man could split the vote and walk into the mayor's chair, hands down."

"He could do it," Captain Scott admitted, "a man like you could do it, Mr. Burris. Why not step in and show them the way? I'd like to see some good man head off these grafters that are greasing the ropes to slide into power."

"I'm a lawyer, not a politician," Burris replied simply.

"They're often combined."

"Not often honorably, Captain Scott. A lawyer-politician is an undignified mongrel. My road doesn't lie that way."

Captain Scott regarded him with approving eye, nodding slowly, as if the lawyer's declaration only substantiated an opinion previously formed regarding him.

"But somebody's got to do it," Captain Scott said.

"They're in the wilderness; they'll never find their way out alone. If those grafters are elected they'll hold this town up for the last cent there is in it."

"That's their plan and intention."

"These people know it, but they don't know how to head it off. Trouble hatches in that kind of sour ground, Mr. Burris; there'll be a flare-up that will scorch somebody in this town before night unless something's done."

CHAPTER VII

O'BRIEN OFFERS A MOSES

CARPENTERS were finishing a house to shelter the press of the *Bulletin*, on which the first regular, standard-size newspaper printed in Oklahoma had been run that afternoon. This little structure stood on the side of the sooner girl's lot farthest from Captain Scott's line, a space of some twenty feet between it and the tent café. In front of his machinery shed O'Brien had set up a large tent to serve as composing room, editorial and business office. There Marion Scott was at work while her father and Justin Burris discussed the potentialities of the headless body that squirmed among the tents of Victory. She was getting up some three-line telegraph bulletins for tomorrow out of a two-days-old Kansas City paper, having joined O'Brien's force that day.

Captain Scott and Burris crossed lots to take a look-in on the editor and his activities, discussing the political situation in Victory as they went. The *Bulletin* was off for that day, Charley Akers and another inky vagabond whom he had found wandering were sorting type. A sign, "PRINTER WANTED," was pinned to the front of the tent.

Marion nodded and waved her scissors as they stopped at the open door. O'Brien hastily left a man with whom he appeared to be in earnest consultation to hasten forward and give them greeting.

"Captain Scott, your name was on my tongue," he said.

"There's a man here I want you gentlemen to meet, an old and tried friend of mine from Missouri."

The editor drew them to the back end of the tent, where his friend was sitting on a bale of shingles.

"Mort," said O'Brien, "this is Captain Scott, the father of Oklahoma, and this is my friend Burris, the leading attorney of Victory. Gentlemen, meet Mr. Pomeroy, of Saint Joe."

Pomeroy got nimbly to his feet at the beginning of the proceedings, and shook hands with warmth and earnestness, a quick word of greeting on his thin lips, a quick smile of pleasure in his eyes. He was an ascetic, thin man, younger in appearance than O'Brien, his light hair cut closely to his small, almost femininely fine head, a little sandy mustache to his lip, eyes as blue as asters. They were eyes which met one with a straight, level, challenging look, and their blue was so clear, so unflecked and untroubled, that it was a pleasure to behold. He seemed a man with an open conscience and no history of trouble behind him, so ready his smile, so quick his short little laugh.

"We used to be team-mates back in the days when I was a reporter on the papers in Kansas City, Leavenworth, and Saint Joe," O'Brien explained. "Pomeroy fared better than I did in those days, got to be city editor and bossed me around, and his luck followed him here."

"I'm glad to hear that," said Captain Scott, feeling a friendliness for the frank-faced, lean young man, who seemed to have a stored force in him back of those rather passionless eyes as strong as lightning.

"I landed on a pretty good lot over on a corner fronting Government Acre," Pomeroy explained, "but I don't know where I'll be after election."

"Nobody does," said Scott, rather gloomily.

"If we stand by and give it over to those promoters, they'll suck this town as dry as last year's eggshells," said Burris. "Captain Scott and I were discussing that a minute ago."

"A good man can split 'em wide open," O'Brien declared. "Look at that gang out there, ready to follow anybody who can whistle, like a pack of homeless dogs."

"We were talking of that phase of it, Burris and I," said Scott. "They need a Moses."

"I've got him!" said O'Brien. In that dramatic declaration the editor came at once to the big matter between himself and his friend. He went into it eagerly, ignoring the short, modest protests of Pomeroy, Captain Scott nodding now and then in understanding and approval, Burris holding his peace, but studying the stranger with deep-probing glances.

"But I don't think I could swing them, Jack," Pomeroy protested, when the editor had laid his case before Captain Scott.

"If Captain Scott will endorse you, it means you're mayor before a vote's cast," O'Brien declared.

Captain Scott was not a hasty man, yet he was a man who seldom made a mistake in his judgment of his fellow-beings. This was an emergency in which time could not be spent in investigation, and circumstances were such that a man must be accepted on his face and his word or not at all, for the election was set for four o'clock on the afternoon of the next day. He declared his willingness to do what he could to secure Pomeroy's election if he would consent to appear in the race as independent candidate for mayor. Burris, following the captain's lead, offered his services as speaker in the campaign, which must be short and furious.

These endorsements and offers of support came after O'Brien had vouched earnestly for his friend, and declared his intention of getting out an extra paper in the early morning hours. Burris, having shouldered his share of the undertaking, suggested that an open-air convention be called, the nucleus of which was already assembled before the office, and an entire independent ticket nominated. O'Brien jumped to this with eagerness, rolled out a packing case, mounted it, and addressed the crowd, going no further, indeed, than to center interest and awaken expectation, when he passed the labor of the preliminary announcement on to Burris.

Burris spread his hands as if in expostulation against this sudden proceeding, which seemed to throw the whole responsibility of success or defeat on his shoulders at once. But O'Brien was on the ground, the crowd was cheering his announcement that "Judge Burris, lately of Missouri," had something to say on a matter touching the security and prosperity of every man in the city. Still Burris hesitated, not out of reluctance to do his duty under his compact, but on account of the misleading and unearned honor which the editor had bestowed in the title that he had given the lawyer. He made again that little gesture of disparaging protest which looked to be such trifling work for his great, capable hands. Then he mounted the box, his hat in his hand.

Burris' long and uneven black hair was blowing in picturesque disorder which only emphasized the cast of strength in his rather harsh, melancholy, homely face. He stood before the leaderless throng angular, tall, his comprising eyes giving every man upon whom they rested for a moment the thought that he was being weighed and tried. He raised his hand in commanding gesture; they

leaned and listened, breath held, to hear this man who had already won their confidence.

In that pose, with hand upraised like a cast figure, Burris stood a few moments, the stillness which he had invoked around him. He looked like a man with a message, like a prophet with good counsel on his tongue. He spoke, in slow, measured words, deep, far-carrying, beginning by urging on the people the importance of immediate organization to guard their rights against the grafters whose hands were heavy over them already, whose feet were on almost every claim. They warmed to the theme with him, giving him cheers, and Burris, as if burning with the fire of his new championship, threw off his long coat and stood before them with the sweat marks of his blue suspenders on his big hard-breasted shirt.

Marion Scott put down her work, drawn by the clear, strong voice that called men to do their duty, and went to the door to hear Burris speak. Reno Johnson, in her barbaric dress, her pistol strapped around her waist, was standing in front of the café on the edge of the pressing crowd, the little dark man, who carried the corned beef and cabbage to the board, beside her. The one person in the neighborhood oblivious to the rousing music of Justin Burris' powerful voice was old Madam Johnson, who was standing by her stove in the open back of the café. Let the world end afterwards, her cabbage must be cooked.

Burris made it plain to the confused senses of the people that they held the balance of power between law and anarchy in that dusty canvas city. He urged them to unite, put their independent candidate in the field, split the forces of the grafters and elect honest men.

"That's the only way you can beat these land sharks that are squabbling over who is entitled to your money

for what none of them own," said Burris. "Organize your city government; then you can file the townsite plat as a municipality and beat them all."

That was advice new to them, a way out of the difficulty and to safety that never had been shown to them before. Burris' standing as a lawyer who knew his business rose ninety points in as many seconds; there wasn't a man in the crowd who wouldn't have trusted him with his future prospects at the end of five minutes. Having prepared the way, Burris retired, leaving his dusty hearers breathlessly eager to follow whatever might be proposed for their salvation along the line that he had mapped.

Editor O'Brien stepped into the breach and spoke of the "Moses" who had come to lead them out from the chaos of their bewildered hour to the sunlight of security and peace. He spread it out with a good deal of poetic allusion, and keyed them up and strained them to redoubled eagerness. At the right moment he turned to the tent, where his "Moses" had remained modestly out of sight, and called on Mr. Morton Pomeroy, of Missouri, to come forth. O'Brien presented him, Pomeroy on the box beside him, calling him "the man from home."

Pomeroy stood a brief period before beginning, turning his head this way and that, like an automaton, as if to give every man a view of him and a chance to pass judgment on him before he spoke. His voice was as abrupt as his manner of approaching his subject, a bit harsh, evidently untrained to public speaking.

"You arrived here, neighbors," he began, "to find this town all surveyed and staked by one outfit and another one running lines. Neither one of the so-called 'townsite companies' that have locked horns over this site had, or has, any more right to it than they have to the air above their

heads. Neighbors, I'm a property holder here along with the rest of you; my chance is in the hat with yours. I've been a newspaper man all my life; my business has been to find out what other men want to hide and put through in the dark. I've got proof that the railroad officials were in on the steal of this townsite; I can prove their private car stood on the sidetrack here three days before the opening, and that a gang of surveyors was at work.

"This other outfit from Kansas that claims title to the townsite was on the ground at ten o'clock on the day of the opening, three hours ahead of any honest man in this crowd. How did they get here? Who shut their eyes and let them slip by? Gentlemen, if it comes to the point that we have to carry our claims into the United States court, I can bring proof to show who connived with the rascals to beat you out of your rights; I can show who winked at this wholesale invasion of sooners, and some of them will be put where they belong."

Pomeroy's listeners cheered these declarations, the sound rousing the dejected among the tents, bringing hundreds crowding to hear.

"Don't be deceived by the show of a squabble between these two crowds," Pomeroy warned them. "Thieves don't fall out very often when there's an honest man standing around ready to profit by the row. They'll get together in time to kick you out of the country if you don't head them off before they get their men in office."

"Hurrah for Pomeroy!" somebody shouted, cheered by his promises of exposure of men in high places, and his exposition of their case. The crowd gave it, heartily, and Pomeroy bent his head, as if modesty would not permit him to look applause in the face.

When they quieted and called for him to proceed, Pom-

eroy let himself go in a general denunciation of sooners, claim-jumpers and grafters. In the heat of his peroration, when he had them yelling at every jump between his short, choppy sentences, O'Brien sprang to the box beside the orator, waved his arms and shouted:

"I nominate the Honorable Morton Pomeroy for mayor on the people's ticket!"

It was the favorable moment; at that second the Honorable Morton Pomeroy's star came into the firmament, lighting the path of his ambitions with happy gleam. The crowd endorsed the nomination; Pomeroy became leader in the place which had stood empty for want of the proper man.

The gathering quickly resolved itself into a nominating convention, with a great amount of cheering and handshaking, thumping of backs and presentation of cigars. It was carried off with the gladness of a holiday, in the generosity and exuberance of men released from peril. Every lot-holder and doubtful contestant among them was hot with a new and definite purpose now.

Three councilmen were nominated by various sponsors, each nominee making a speech. It was decided that treasurer, clerk, chief of police, and city engineer would be better left to appointment by the mayor. O'Brien and Pomeroy took charge of the campaign with competent hands, there remaining to them but the tapering end of an afternoon and one night to make the people's ticket known.

For a beginner in the game of politics, as he claimed to be, Pomeroy promised an early graduation. Perhaps because he had been looking on for so long, and telling others about the fine points of it, the reporter found himself a capable organizer and leader when his hour struck. He

appointed committees to hold meetings in all parts of town, instructing the speakers to proclaim, in his name and on his authority, that if they elected him mayor he would do all in his power to secure every honest man in his holdings, and that a sudden and thorough cleaning-up of grafters would follow his assumption of office. He started out at once himself to carry this challenge into the camp of the opposition and spread it with his high-pitched, rough-edged voice.

Captain Scott watched this sudden elevation of Pomeroy with lively interest and considerable satisfaction. There was something about the confident, open-faced young man that seemed to promise well. He had taken hold of that sullen, dumb lump of humanity and charged it with new hope. Captain Scott congratulated him on his nomination and pledged his support.

Notwithstanding the little while that Victory had been established, and the uncertainty of tenure of almost all its inhabitants on the land they claimed, the town was showing remarkable development. Several large frame buildings were under construction, many small ones had been finished in rough haste; a hotel of fifty rooms had been shipped from Kansas City in sections. On the afternoon of Pomeroy's nomination it stood ready to house the unsheltered and couch the weary.

At the best, everybody was building in uncertainty. Nobody knew where the streets would be, but every man built his house or his store where he would like to have a street come by his door. Those who had the money to buy the ground which they occupied when anybody should come along able to give title to it, were not worried. They knew the big ones would crowd and elbow the little ones out, any way that it might go. But everybody wanted a street

by his front door, and was building in that expectation. The result of this was that houses in Victory fronted in as many ways as men had hopes.

The final clearing of the situation would fall to the hands of the city officials. Every man with tent or wagon on a lot stood ready to support the candidate who promised him title to it; everyone with a house built or building was eager to work and vote for the leader he believed would be the most likely to provide him a street before his door, thus saving him the trouble of moving his house to front a thoroughfare of somebody else's fancy.

But while the other two candidates were men of financial substantiality, and each had his followers from his own state to shout for him, nobody in all Oklahoma, except O'Brien, appeared to know Pomeroy. He had sprung up like a whirlwind on a sunny afternoon, with nothing to recommend him but his incisive diagnosis of Victory's ills and his sure prescription of a remedy that even the most stupid could understand. As he moved through the city that waning afternoon on his suddenly developed campaign, his big box carried along by his supporters, the speakers of the opposing factions followed him. They called attention to his obscurity, branded him as an adventurer; but to all of their noise Pomeroy did not turn an ear.

Pomeroy carried his charge across the town and back; got his supper in the Sooner Girl Café and set out again, taking turns with Burris on the packing case, the pair of them making a team able to reach all moods and quiet all doubts and suspicions of that awakened throng. A man in a Salvation Army suit joined the party with a cornet. He seemed to be master of but one profane tune, *Dixie*, which he played jerkily, like a man carrying a hod up a ladder. Two men carried gasoline torches, illuminating

the speakers from head to foot, discovering all the excellencies of the people's candidate, as well as whatever weaknesses of physiognomy any man might trace.

Until midnight the hitching notes of *Dixie* came jerking out of the cornet. People in the remoter parts of town turned out from sleep to hear Pomeroy speak, and returned to their dusty beds alive with new confidence in the greatness of their future.

Charley Akers and his assistant worked all night on the extra paper which O'Brien had on the streets before breakfast. The feature of the extra was a signed article by Captain David Scott, the FATHER OF OKLAHOMA, as the editor christened him in large type.

Captain Scott urged the election of Pomeroy and the people's ticket. The article was read by scores of the captain's old friends who had stood by him in his long fight to secure the opening of these Indian lands to settlement. Every man of them accepted the unknown candidate on Captain Scott's recommendation and became at once a lively and effective committee to further his election.

The election was set for two o'clock that afternoon, that being the fourth day of Victory's dusty history. At that hour the three nominees for mayor stood in wagons drawn up side by side. The voters favoring the ticket each man represented fell in behind the candidate's wagon five abreast; the wagons were driven to the acre reserved by the government, followed by the lengthening lines, where tellers counted the living ballots in blocks of five.

When the count was done, the Pomeroy ticket was found to have carried by three hundred votes. In that manner this protégé of Editor O'Brien had been lifted from obscurity to an honorable and powerful place. When it was over, men stood aside and considered his case. Was he an

adventurer who would use the power thus suddenly entrusted to his hands to exploit them, or would he bend his energies to the service of the people at large, as he had pledged?

There was before them the example of a beggar mounted on a horse. The experience of centuries had contributed only to uphold the counsel against such rash proceeding. Yet, perhaps Pomeroy would give every man a street to fit his house. This was the hope of all who had put their money into buildings and their faith in the people's candidate, when they stood back and considered their work.

CHAPTER VIII

THE DISINHERITED

A DAY was a long time in Victory, a week an age, comparing its progress with other cities in more finished surroundings. Great strides had been made since Pomeroy became mayor, although not many days had passed since that notable event. As soon as the municipal organization was completed, the plat of the town was filed. Title was now secure in the citizens of Victory, their differences, claims, and counterclaims were in the hands of their elected officials for adjustment.

A city surveyor was appointed and set to work within two days after the mayor took his seat. In deference to the demands of business, the surveyor began tracing thoroughfares in that part of the city nearest the railroad, where the commercial establishments were situated. As the survey progressed, the amazement of the inhabitants of the city grew, until it began to voice itself in grumblings and a deep undertone of dissatisfaction and threat.

Never since men built their houses along the cow-paths had such crooked streets been seen. Here the surveyor dodged to spare the grocery of one; there he jogged to miss the hardware store of another. In order to escape throwing Smith into the street he went east; to spare Jones a like unpleasantness he turned west. To bring the bank on a corner he put a street through the middle of the block; to save the square front of a clothing establishment, which had gone to the expense of a sign, he cut a diagonal

traffic-way where there was no other excuse for it in the world.

When it came to the nests of tents where the farmer-townsmen and the laborer-capitalists waited their day, the surveyor struck his lines with unbending severity. Those not included in the benefits of these convenient streets were struck dumb by this proceeding. It was impossible for them to determine whether Pomeroy, who was already not only the head, but both hands of the city government, was a plain grafter who was selling favors, or only an obliging fool.

Captain Scott had no doubts in the matter at all. He believed that he had assisted a scoundrel to the saddle, a man who had begun from the first hour of his official duties to feather his nest while the plumage was ripe for plucking. Bristling with indignation over the imposition that O'Brien had put upon him, he waited on the editor.

It was but logical that the *Bulletin* should have the city printing, for it was the largest paper and the best equipped in the new country. On the sudden prosperity attending this contract O'Brien had built one of those up-and-down houses common to Victory and all suddenly developed towns. This stood in front of the pressroom, and was a long, narrow building with a square front like a store, but it was luxury in comparison with a tent. O'Brien was taking his ease in the partitioned part of it, cigarette in his lips, his new swivel chair tipped back, his feet on a half-open drawer of a new desk, when Captain Scott made his call.

Marion was out on some reportorial errand, the other two reporters were that minute eating their first-edition lunch in the Sooner Girl Café next door. O'Brien made a ceremony over Captain Scott's reception, expressing his

pleasure over the visit in his extravagant, poetic way, in which there was more sound than sincerity, the grizzled old boomer thought. Captain Scott came to the business that had brought him there without wasting any breath in beating the hedge. He said that he felt in a measure responsible for the election of a base scoundrel, a greedy-eyed grafter, to the office of mayor. He had come to ask the *Bulletin* to do as much for him in repudiation as it had done in support of Mayor Pomeroy in his name.

O'Brien could not contain his amazement, his injured, shocked surprise, and remain sitting. He was obliged to get up to give it room within his narrow, bony chest. He walked a while up and down, across and back the crowded little office, rolling his great eyes, flinging his long hair with his slender white fingers.

"I'm winded, General, positively winded!" It was one of his habitual extravagances to magnify the captain's military rank in this manner, just as he dignified Burris with the title of "judge."

"I've written out a statement," Captain Scott explained, bringing forth a paper. "It will not require much space. It's only just to myself that I make my position clear to the people who are being robbed right and left by this grafter from Missouri."

"Sir, I couldn't consider it," said O'Brien, stiffly.

"I'll pay you the regular advertising rate, then, if you want it that way."

"General, sit down; let's talk this thing over," said O'Brien, placing a chair near his desk. "Now, I must tell you that you're making the mistake of your life when you set yourself up against Pomeroy. That man is the biggest material in this country today; he's going to be a top-notch; he's going to make and unmake men by the crook

of his thumb. General, get in the right boat when you set sail—don't make any mistake about that."

"Mr. O'Brien, I've been selecting my own associates some little while longer than you've been on this earth, and I've always managed very well without advice up to this time."

"No offense, General, no offense! I'm only giving you a straight, a friendly steer."

"I've been around this town a good deal the past two days investigating matters for myself," said Captain Scott. "Friend or no friend of yours, Pomeroy is a crook. I don't know whether you were aware of it when you vouched for him to me, and I was precipitate enough to act on your recommendation, but if you did, sir, I resent it, and hold you to be no better than he is. If he isn't accepting money outright for the favors he's dispensing, he's expecting the equivalent in service, one way or another. You know it as well as I do, O'Brien."

There was a humorous, half-shamed smile on O'Brien's big, good-natured mouth as he turned to Captain Scott with a conciliatory gesture.

"Oh, General, forget it!" he said.

"Sir!" Captain Scott threw his shoulders back, sat up stiffly, resentfully, pulling his brows down in a stern frown.

"I say forget it; let it pass. These things have to be, you know; a politician naturally helps his friends."

"But he doesn't necessarily sell out to his constituents' enemies. Everybody knows that the officers of those two fake townsite companies are the biggest ducks in the puddle where Pomeroy is doing his muddy paddling. I thought better of you than to see you lined up with him in this outrageous deal, O'Brien."

"Now, look here, General"—O'Brien leaned forward,

his face serious—"you can't reasonably come here and ask me to cut my throat with a golden knife. I'm face to face with more money, more real, easy money, than I ever met before, and I'd be seven kinds of a fool to let it get away. Everybody's on the graft here; I told you that the first time I saw you—do you remember?"

Captain Scott remembered; he signified it with a gloomy nod.

"Oh, cheer up!" counseled O'Brien, with comical sincerity. "Begin to look out for Number One, General. They'll be on the graft here for a while, but it can't last long; a man's got to get his while the pickin's good. Don't you know there's over seventeen thousand dollars in the city treasury already?"

"And you intend to have your whack at it," said Captain Scott, with unmasked contempt.

"Sure. Why not?" O'Brien spoke with the sincerest affectation of surprise, lifting his eyebrows, drawing down the corners of his flexible mouth in an expression of childish petulancy.

"You'll not get anywhere by it."

"General, the money in this town, in the whole of this new country, is on the grafters' side," O'Brien argued earnestly. "Poor honest men are the kind I've been training with all my life—my father was that kind of a man—poor-but-honest parent, like the hero in the old *Third Reader* used to boast. Well, I'm through with that bunch, General; we have passed the parting of the ways and I'm traveling without a limp and sore feet for the first time in my life. I see it easier ahead of me the farther I go, and I'm too old, too ease-loving, too devilish indolent, if you please, to reform."

The editor leaned back, blowing smoke, an expression of

luxurious satisfaction with his lot in every line of his long, spare body. Captain Scott put away the paper that he had taken from his pocket, seeing that the mouthpiece of publicity was closed to his complaint, indeed.

"When the right time comes for me to turn reformer, I'll switch, but I'm not going to leave a comfortable bed to pallet with the dogs in the corner. I tell you, General, I've been out in the night enough. Don't worry about Pomeroy; let him have his little rake-off if he's getting it, and I suppose he is. There's no salary in his office, you know."

"In the name of conscience, how far is this thing going, O'Brien?"

"Well, Pomeroy and I landed here pretty thin," the editor grinned.

"I don't suppose there's any use, then, in pressing you to publish as an advertisement this statement I've written?"

"General, I'm doing you a bigger favor by refusing to touch it. If there's anything else I can do for you, I'll do it. If you want money, I'll go out and borrow it for you—I'll mortgage my plant; if you want office, the paper's at your command, columns, pages, unlimited space. But there isn't the space of one agate lead in it for a word against Mayor Pomeroy. I'm a man who stands by my friends."

"You seem to carry your loyalty to extremes, sometimes, Mr. O'Brien. Be careful that it doesn't drag you down in the wreck that's bound to come, like a grindstone tied to your neck."

"General"—O'Brien rolled a cigarette under his palm on the table of his desk, snipped off the protruding ends of tobacco, lit it, leaked a hemorrhage of smoke through

his nostrils — “this poor-but-honest game is a mighty lonesome one to play. If we don’t pick this crop of money while it’s ripe here and blowing on the wind, somebody else will. So, what’s the use?”

Captain Scott did not attempt a reply. He rose from his chair as if to go, stood for a moment in his peculiar pose of thoughtfulness, his left arm bent in front of him, his right at his hip where the butt of his pistol used to be in his old days of adventure. He seemed to meditate further speech, but after a little he went away, saying no more.

Each new day brought fresh developments of scandalous injustices. On the third day following the beginning of the survey, the chief of police rode through the newly designated streets notifying all who occupied the ground that they must vacate immediately.

That night the dispossessed held a mass-meeting on Government Acre. Many violent and purposeless speeches were made; resolutions for forwarding to Washington were drawn; threats of securing the indictment of the mayor and council by a federal grand jury were uttered. The mayor was denounced, openly and bitterly, as a grafter who was selling privileges to those who were rich enough and base enough to buy them. Some were for marching in force that hour against the council, then in session in the hotel, and driving mayor and aldermen from the country.

In the midst of these wild denunciations the chief of police and the United States marshal arrived, with armed men behind them, dispersing the meeting as a menace to public safety on the mayor’s order. If they had not fully understood it before, the citizens of Victory now realized that the strength of their mayor was greater than their

own. The delegated authority had become the supreme, from which there was no appeal.

Next morning the police began clearing out of the streets such dazed people as had not come yet to comprehension of the fact, clearly and unmistakably, that the survey had ousted them from their last hope in Oklahoma. Some stood to resist the officers, and a few desperate ones whose road led them to the blank wall shutting them off from any further gifts of earth or the fruits thereof, threw away their lives in a foolish defense of the ashes of their dreams.

The tent-pegs of those whom the survey had thrown into the streets—so many of them unjustly—were pulled up by the officers, the tents were brought down in sudden collapse on all they contained of wives, children, makeshift furnishings. After them the police left a wide avenue of these fallen castles, and the lamentations of the disinherited rose to the dusty skies.

As these people were driven out of their lodgement, having nowhere else to go, hundreds of them assembled their poor possessions along the railroad right-of-way and on Government Acre, waiting to catch their breaths and collect their bewildered senses to strike a direction to travel out of that inhospitable land. A meeting grew out of this assemblage that afternoon which drew to it hundreds who were trembling in the expectation of being ousted by a similar crooked survey on tomorrow.

Speakers took their turn standing in a wagon end to denounce everybody in authority in Oklahoma, and Mayor Pomeroy with greater bitterness than anybody else. While these outbursts were comforting to the emotions of the orators, they did not clear the atmosphere for the dispossessed. The great question before these homeless hundreds was, Where to go now?

Oklahoma was gorged with people. More than fifty thousand had rushed into it on the opening day, thousands had come since then, and there were homesteads for less than a fourth of that number. There was no place within its borders for these people, ousted from the streets of Victory, to set their feet.

They began to talk seriously, as the day drew on, of moving in a body to the Cherokee Strip, lying to the north of Oklahoma, and taking forcible possession of that land. The United States government was responsible for their being there, they said; it had advertised Oklahoma in a manner to lead people to believe it was not only limitless, but a land of delights. The government owed them homes; they would go to the Cherokee Strip, drive out the Indians, and cattlemen who held leases, and take what was their due.

This proposed movement began to assume grave proportions. Men were beside themselves in their desperation and anger. They began to strap on their revolvers and hitch up their teams, in preparation for the march. Among these ousted people were many of the original boomers, and they were loudest of all in their shouting for the forward charge upon the Strip. They told one another that they had been cheated out of their own, robbed with their eyes open, kicked out of the country they had made.

News of the movement spread quickly through the city. Others who felt that their foothold was doubtful came flocking by hundreds to learn what the promises of the Strip might be. The United States marshal, Bass Kirk, began arming a strong posse in preparation to stretch out the arm of the law ahead of this wild undertaking.

But the one essential to make the movement anything more than a noisy demonstration was lacking. There was no head, no leader, no brains to the lashing, struggling

body. A delegation of boomers, smoky, dusty, gray, and wild-eyed, waited on Captain Scott with a proposal that he step into the lead. Captain Scott listened to their insane scheme gravely, making no comment at all. When they had laid the matter before him he went with them to Government Acre, where he mounted a wagon and waited while the hot-brained mob pressed around to hear what he had to say.

Perhaps there was nobody in Oklahoma who understood these people as well as Captain Scott. They were elemental, tempestuous, childish; close, very close, to the soil. He pitied their plight and sympathized with them heavily. This he made plain to them in a few simple words. He knew they did not comprehend the gravity of the thing they were about to attempt. This he told them, plainly, but with a persuasive kindness.

Such an expedition would only add to their discomfort and poverty, he said. The soldiers would round them up within a few days after their invasion of the Strip, and drive them on. It might result in bloodshed and sorrow, for which all the land in the Nation — so the Indian country was called in the bordering states — could not compensate. Their bronzed faces whitened as he talked to them; the heat of their indignant hearts died. United States Marshal Kirk, mounted on his horse a little to the right of Captain Scott on the edge of the crowd, waved his hand to his deputies and sent them back to their stations. He remained there unsupported, listening, a scowling, dark man with a big black sombrero pulled down to his ears. Kirk's face was as smooth as an Indian's. He was armed with two revolvers, and a rifle in a leather scabbard under his thigh.

Kirk's face did not change in its stolid expression of

stern and unsympathetic determination to do his duty as Captain Scott convinced the dispossessed people that they were wrong in their charges against the government. The government had not misrepresented Oklahoma; anything that had been done in that way was the work of calculating scoundrels whose aim was to bring as many people there as possible, for the sole purpose of preying on their necessity. He counseled them to turn and leave Oklahoma, pointing out that they were only the first in the discard which was being made in Victory and other crowded centers like it. Hundreds would be ousted by the survey and the adjustment between claimants; each day would add to the hardship and the bitter outlook.

No doubt many of them had been robbed of their rights by Pomeroy in his crooked service to people whom he counted as of more consequence and worth than they, but from this injustice there seemed to be no appeal. Captain Scott was on this theme when Mayor Pomeroy himself, the chief of police at his elbow, rode up.

The mayor forced his horse through the crowd within a few feet of the wagon in which Captain Scott stood. A look of displeasure troubled his thin face when he heard himself spoken of in these disrespectful terms. He leaned toward the speaker, who was yet unaware of his arrival, stretching out his hand in protest.

"We had to have streets, Captain Scott," he said, in rather sharp indignation.

"We could have had honest streets, impartially straight, or impartially crooked, sir," Captain Scott returned, facing the mayor, his great rugged form erect.

There was a movement of appreciation in the crowd, a little murmur of applause. Pomeroy frowned, looking around him with corrective authority. The mayor made

a handsome figure on his big bay horse. To show that he was already weaned from his Missouri habits, he had provided himself with a large new hat of the cowboy pattern. This had a broad leather band with a bright metal buckle on it which glinted in the sun.

"There is no justification or excuse for the favoritism you have shown, Mr. Mayor," continued Captain Scott, glad of this opportunity to adjust himself as far as he was able before the people whom he had led into voting for Pomeroy. "You could have been square with the man in the tent as well as the man in the house. It looks to me, Mr. Mayor, like you've sold out, body and breeches, to the men with money in this town."

"Those are dangerous words, Captain Scott," the mayor cautioned, his face growing white.

"I repeat them, sir." Captain Scott met him eye to eye, holding him in a look of challenge and contempt.

"You may have to swallow them, too!" Pomeroy declared.

"I've been trying to get an opportunity of announcing to the public my regret for having helped, even if only a little, to put you where you are, sir," Captain Scott said. "I can't undo the damage I've done, but I can assure these cheated, robbed, wronged people that I was deceived in you. I took another man's word for it that you were honest, Mr. Pomeroy. He was wrong, innocently or criminally wrong. You're a scoundrel, sir! You're a thief, and a servant of thieves!"

"I'll make you eat your words, by God!"

Pomeroy jerked his horse, making it rear in his sudden passion. His face was bloodless, his thin lips pressed in the intensity of his anger so hard against his teeth that his mouth was only a thread. He made a movement as if he

intended to dismount, but the chief of police touched his shoulder and restrained him with a low word.

Captain Scott stood in the wagon in that rather clumsy, expectant attitude peculiar to him, left arm slightly lifted as if to guard a blow, right hand at his hip where his revolver used to hang, the place of which was empty now. A little while the two men sounded each other with their eyes, each seeming to seek the other's intention and to fall short of finding it. Pomeroy turned his horse with abrupt jerk.

"Break up this crowd!" he ordered his officer sharply. "Drive them out of town — don't let them stay here another hour!"

The mayor spurred his big horse through the crowd, a threatening murmur spreading around him as he passed. He did not appear to be armed, but he met savage scowl with one as fierce, hard words with a threat in his clear blue eyes that made men quail and turn away.

The chief of police was a tall, raw man with a sharp face. There was a blueness in his features like of wintertime, such a coldness in his thin Roman nose that one looked to see it condense his breath and put out a little icicle. He began to move through the crowd and give his orders in a low voice of self-confidence and indisputable authority. Captain Scott got down from the wagon, earnestly advising the people to comply with the order at once.

It was impossible for everybody in that gathering to quit the town within the time set; the chief of police was sensible enough to see that. But he stood by watching, while Captain Scott and others helped the old and the slow, the widows and those whom fright and despair had almost palsied, load their belongings and make the start.

It was a sad procession of the beaten and discouraged which wound northward out of Victory as the sun went

down that evening. Their horizon was obscured; there was no vista into tomorrow. The Land of Last Chance had closed its doors upon them and driven them out into the night.

Captain Scott turned from watching them away, going back in sadness to his tent. Marion came out to meet him, her face white and troubled, her eyes great as if they had looked upon some shocking deed. He made anxious inquiry into the cause of her disturbance.

"The surveyor has been here; Mayor Pomeroy is taking care of his sooner friends."

"Taking care of whom? What do you mean, child?" Captain Scott looked around him with uncomprehending eyes, seeing no change in the situation as he had left it two hours before.

"He's put that Reno outfit on the corner!"

"Have they thrown our lot into the street?" Captain Scott asked, coming to a stop as if he had met a wall across his way.

Marion nodded, her tears springing, hard as she fought to hold them back.

"There are the new stakes. The police were along here a little while after the surveyor; they say we must get out of the street by nine o'clock tonight."

CHAPTER IX

ON ADVICE OF COUNSEL

JUSTIN BURRIS was not in his tent when Captain Scott returned to hear the news of his eviction by the city engineer. On her father's inquiry concerning the lawyer, Marion said he had gone away with a delegation of his clients on what appeared, from the manner of all, to be urgent business.

"Some other poor wretch who has given his blood to put this land into the hands of grafters being thrown out, no doubt," said he. "Big as he is and willing as he is, I'm afraid Burris can't help any of us much, but I'll get his opinion on it when he comes back. If he has no remedy to stop this daylight steal, I'll see if I can find one."

Marion saw him bring the revolvers, which he had not worn since his first night in Victory, from the chest in the wagon as she set about preparing the last meal that she would spread on that little strip of Oklahoma soil. She did not attempt to dissuade him from this preparation to defend his rights, fatuous as she knew the stand would be. Her own blood was up to the fighting point over this deliberate increase in value of the sooner girl's lot at their expense. Several thousand dollars had been taken from them by Mayor Pomeroy's shameless proceeding in behalf of his friend, at whose table he was a daily guest.

Burris came heading for his tent at the moment Marion was pouring her father's coffee.

"He's picked up another dog," said Captain Scott.

“He’ll have every stray in Victory at his heels if he keeps on.”

“He can’t deny the appeal of even a homeless dog,” she replied, a tenderness in her eyes for the big man’s weakness.

“That makes three; I don’t see how he’s going to feed them all.”

“I think they skirmish around old lady Johnson’s kitchen a good deal,” said Marion; “I saw that old hound with his head in a pot this morning.”

“Burris will be eating at back doors, too, if he doesn’t put the brake on his liberality. Five or six people among the evicted down there this evening told me Burris had given them money to buy grub for their families.”

“It will all come back to him, multiplied in thousands,” said she, with earnest confidence.

“I hope to heaven it will, but I tremble for his future as a lawyer. That man missed his calling; he should have been a priest. Call him over, Marion, and ask him to have a cup of coffee.”

Burris was not slow to accept the invitation. He came with his three dogs at his heels, poor, sorry, abandoned, lost creatures whose owners had forsaken them. The latest member of this canine family was a little black spaniel, its long hair a fringe on its lank sides, an appealing look of loneliness in its bright, intelligent eyes. This poor beast would not leave its new friend and protector so much as a foot. When Burris sat at the table spread before Captain Scott’s tent in the open, the spaniel stretched out beside him, its nose on his boot.

Burris had made a great change in his personal appearance since the wave of prosperity lifted him out of his sad and laborious rut, in so far as clothing could effect such change. The rusty coat had given place to a new one, more

ample of sleeves, more commodious of body; the broken boots had been cast off for a pair which took a polish with aristocratic finish; the small round hat was replaced by one of the broad-brimmed, leather-banded sort in high vogue among cattlemen and civilized Indians in that new land of turmoil.

Not alone in the matter of personal adornment had Burris changed for the better. His lean cheeks had filled a little; the shadow of worry had lifted from his face. While it remained a solemn and a serious face, and would remain so for all the sunlight of ease and happiness that might strike its belated beam across it, there had come a lightness into it, as if the storm had begun to fall. He looked younger this evening, by several years, than he had appeared that day when Marion took him into the wagon, footsore and dusty, and carried him to Victory. Stealing a quick look at him now and then across the little table, she put him down as thirty-five.

A young man still, she thought, for all he must have gone through to make his soul old before its day. At his age a man was only beginning to know how to live, according to the opinion of philosophers. Young as she was, Marion Scott understood that it depended not on how old a man must be to begin to live, but on the day he met his chance, and knew it.

Captain Scott spared his guest's appetite and digestion by making no mention of the surveyor's order until they were through supper. Burris heard the news with more chagrin and disappointment than surprise, for he had seen enough during the past few days to prepare him for any atrocity in the name of the law.

"I never thought the fellow would be so ungrateful as to turn on the man who made his election possible," he said,

the old shadow of his troubled past dark over his face again.

"I was deceived in Pomeroy," Captain Scott admitted, bitterly; "I accepted him not only on O'Brien's word, but on the recommendation of his face and bearing. It isn't often that I misread a man's face, Mr. Burris, but I missed it there."

"Nature has provided some men with masks for their souls," said Burris, reflectively.

"You knew him that first minute; you saw through him like a glass. I noticed the way you eyed him, and held back from pitching into it too fast. If I hadn't endorsed him you never would have said a word to help him to office. I saw it that day, but I didn't understand."

"I'm no shrewder than the next man, Captain Scott," said Burris, his face coloring at this honest tribute to his penetration.

"But you mistrusted the man, and there's no denying it. How much better for this town if the rest of us could have seen him with your eyes!"

"Mine haven't been infallible eyes, Captain Scott," said Burris, with a self-depreciatory gesture; "I've followed them into more mistakes than they've warned me to avoid."

"That's true of all of us, I reckon," Captain Scott allowed. "But what can we do to stop this steal?"

"I'm afraid there isn't anything to be done."

"Oh, Mr. Burris! surely there must be some law we can appeal to," said Marion. And if eyes could stand in court in place of a brief, thought Lawyer Burris, no judge in the land could deny her.

The lawyer shook his head, slowly, gloomily. "There isn't any law in this unorganized land but martial law, no

court higher than the municipal court of Victory, to which we could appeal for an injunction."

"We've got to let it go through then, have we?" Captain Scott rose from the table as he spoke, so grim and determined in his manner that Marion's heart fell.

"There's no use, they'd only kill you and ride over your body," she said, staying him with a hand on his shoulder.

Burris read Captain Scott's intention in his face, as a less penetrating man might have done with half an eye, for the old boomer's purpose was strong over him. He rose quickly, trampling the little dog's foot in his careless haste, and stood stretching his hand in appealing remonstrance across the table.

"If there was any remedy in law, Captain Scott, I'd invoke it; if there was anything to be gained by facing the scoundrels with guns in our hands I'd stand shoulder to shoulder with you to drive them off. But they'd shoot us down, sir, and the law would justify them in the end." Burris spoke so earnestly there was no doubting either his sincerity or his courage. Captain Scott stood a little spell in that arm-lifted pose so strikingly peculiar to him, his head bent in gloomy thought. Marion's hand came stealing down from his shoulder to his hand, and he clasped it, and stroked it, and stood so a silent while, chin upon his bosom, his eyes bent down.

"When a man thinks of the past, he looks at the earth," said the sage; "when he thinks of what is to come, he lifts his eyes to heaven." Captain Scott's face cleared as he lifted it, dropping the past like a mantle which his shoulders had need of no more.

"All right, let them have it," said he, giving Burris his hand. "Thank you, sir, for your advice. Without it I might have run into trouble here tonight."

Marion was not a demonstrative or emotional girl, for all her life had been spent in surroundings where restraint of the natural desire for expression was counted a virtue and a strength. But she also lifted her face to heaven when she put her arms about her father's neck and kissed him. The past for both was past, indeed; its hopes and its ambitions; dreams and expectations, were all come to their end. Before them was the beginning of new ventures; in their hearts the courage to meet them.

"I've got a client near the hotel who has managed to hold his lot," Burris said. "I think I can bargain with him for us to camp there till permanent arrangements can be made."

"We may have to call on his hospitality, but I hope not. I'll see first if I can find a friend who will take us in. While I'm away you might give my daughter a hand taking down the tent and loading up our traps."

"It will be a melancholy pleasure, sir," Burris returned.

With no more said, Captain Scott left them, quickly passing out of sight among the tents. Burris stood looking after him, one great fist clenched at his side, the other hand clasping the lapel of his coat. His face was stern, his great body erect.

"A way will open to justice for the weak and the oppressed in this land," he said, as if speaking to himself alone, his eyes fixed on the point where Captain Scott had disappeared as if they followed him and sent this assurance to cheer him as it might.

"Well, I hope so!" Marion sighed.

The little spaniel was standing beside its master, appealing to Marion with famished eyes. The other two dogs, a hound with lopping ears, and a lion-tinted collie with pensive face, sat off a little way, watching sharply for any morsel that might fall. Marion emptied the scraps from a

plate near the spaniel, with an encouraging word. In a moment there was a turmoil and a scramble at the lawyer's feet as lively as any that had taken place between animals of a higher order in Victory that day.

A word from Burris stilled this contention, and sent his first two retainers to their places. Marion apportioned what was left of the meal among the three objects of the lawyer's pity.

Burris took down the tent while Marion packed away the tin plates upon which they had eaten supper. O'Brien came over to inquire into the cause of this activity. Marion told him they had been dispossessed, which information the editor received with an elongation of his face that seemed to portend tears.

"It's an unmitigated outrage!" he declared, for which outburst Marion's heart warmed toward him.

"I hope it will do Miss Johnson a world of good," Marion said, but with no sincerity in the wish.

"I'll see the mayor, I'll put a stop to this," O'Brien said. "There's some mistake; Pomeroy isn't the man to consent to a raw deal like this."

Away he went with that declaration, Burris lifting his eyes from the work of making a bundle of the tent to give him a passing glance. Marion saw in it that same deep, calm weighing and judging of the man that she had seen in the lawyer's eyes on another occasion. It was that of a superior being who stood aloof and saw the naked imperfections of the soul that passed like a transparent shadow.

"You haven't got much confidence in Mr. O'Brien," she said.

"I was only considering his present sincerity," Burris replied.

"Don't you think he means it?"

"Results must prove that, Miss Scott."

Burris loaded the box of dishes into the wagon, together with the little sheet-iron stove, already cold. He then harnessed the team, Marion standing by with an ache in her heart; her face averted to hide the tears which sprang to her eyes. For when it came to going, it was hard to go, so much had been built upon that resting place.

When Burris had finished all preparations for a quick departure on Captain Scott's return, he stood a little while beside the wagon as if he considered which way he should lay his homeless course.

"You must bring your things over and put them in the wagon, Mr. Burris," Marion said.

"Thank you kindly, Miss Scott, but I'll leave them there till I arrange with my client for space on his lot. There might not be room for me where you're going; it would be mean and low-spirited to allow Captain Scott to provide me a home a second time."

"You'd be welcome without a word or a thought, Mr. Burris."

"You are all too generous to ever be very rich, I'm afraid," said Burris, a smile coming slowly over his somber face.

"I've heard of somebody else who has been feeding the homeless and forlorn," she told him, her eyes as tender as a mother's as she looked him in the face. The lawyer's embarrassment was intense, seeming to strike him like a pain. His face reddened, he hung his head, refusing to meet her eyes as if he had been charged with some shameful deed, the proof of which she held in her hand.

"I'll make arrangements, if possible, for all of us on my client's property," he said.

"Your generosity to those poor women and children,

'driven out of here and going away to God knows where, will make your name a blessing in their memory," said she.

"If I can't fix it up to take care of Timberlake, I'll make sure of a place for you," said Burris, turning away his face, so red that it seemed he must burst into a flame.

"Make certain of a place for yourself, first, Mr. Burris; father will be almost sure to find somebody he knows who will take us in."

"Timberlake is coming now; he's had a busy day."

"I'd forgotten him," said Marion. "Well, he'll not mind moving; he's been moving all his life."

But Jim did mind it, and voiced his indignation in picturesque vituperation which approached profanity as closely as a man of Timberlake's nicety could be driven in the presence of a lady. Jim got down from his wagon, chewing with double vigor and time on his tobacco, took his whipstock from the socket on his wagon bed, walked up and down beside his team, denouncing the mayor and his works, his minions, advisors, abettors; he ranged back into the ancestry of that official, establishing in twenty words that the founder of his family was a snake.

Jim carried a whip with a stock of hand-whittled hickory four feet long, to which was attached a lash of rawhide twice its length. In moments of mental storm, or when confronted with threat or danger of physical violence, Jim always took this formidable instrument from its place in the socket beside the brake, and descended to the ground with it in his grasp like a Jesuit missionary making a landing with the cross. Jim's way was to take hold of the staff in the middle, as one carries a fishing rod, the long lash wound around his hand.

In this manner he held the whip as he pranced up and down beside his jaded team, calling confusion and damna-

tion on the mayor's head. Dusk was deepening; soon it would be night. Out of that circumstance Jim drew material for further blasting the city officials, to their total obscuration and confusion forevermore.

Burris heard him with an expression of shamed indulgence, as one listens to the outburst of a child who should be silenced, but is spared on account of its years. Presently Timberlake spent himself, and drove off to the creek to water his team.

Burris left, also, to confer with his client about lodgment for the refugees on his lot. Marion watched him away into the gathering night, two of the dogs at his heels, the little spaniel going eagerly beside him, looking up into his face as if for orders which, in the gratitude of its poor heart, it would spend its life to hasten to conclusion,

CHAPTER X

RED DUST

“**O** KLAHOMA has kicked us out and shut the door,” said Captain Scott.

“I’ll not think so badly of the country yet, Father,” Marion protested.

“The crooks have got the country by the throat; they’re choking it to death in its infancy.”

“We’ll drive them out, and give the land to its rightful owners,” she said, with the faith and firmness of one inspired. “A strong man will rise before long from among these bewildered people and compel justice for the oppressed.” As she spoke there appeared before her inner vision a shadowy great form drawing away from her through the closing dusk. Why she looked for Justin Burris to rise, prophet-like, out of the dust and turmoil of that place to lead men and judge between them, she could not tell. But the vision rose, like a warm vapor out of her heart, and would not dissolve away.

“Maybe John O’Brien?” said he, with gloomy sarcasm.

“I look to him to help,” she nodded.

“I had hope of him at first, but Pomeroy owns him, body and soul. Maybe it wasn’t so very hard to get possession of him, either. A vagabond of chance, he said he was, and they’re both rascals, clean through.”

“I think he’ll come right,” she said, head bent in thoughtful pose that seemed a family trait. “He isn’t really a *grafter*, you know, Father”—looking up almost eagerly—

"he gives services for what the city pays him. If Mr. O'Brien didn't do the city printing they'd give it to that foolish little *Eagle Eye*—of all the ridiculous names for a paper!"

"I don't mind his having the city printing, Marion, even at three prices, for there's always more or less crookedness and favoritism in such things, everywhere. But I believe he'd do better, I believe the good element of this town, business men who are building for the future, would support him if he'd cut loose from Pomeroy and make a start to clean out these grafters. I believe they'd do it."

She shook her head. "He says they wouldn't—not yet—I've talked that over with him more than once. After a while they'll be ready for that, he says, but not now."

"Anyway, I'd feel like we'd reformed if you'd give up your place on his paper," said Captain Scott, quite seriously.

"Oh, it isn't as bad as that!" Marion laughed.

"While the money you earn is honest money, as far as you are concerned, I'm afraid it comes to O'Brien too easy to be good."

"You're gloomy over the crooked deal we got on the corner lot," she said, laying her hand on his shoulder in her soothing, caressing way. "That's all right, let the sooner outfit have it; we can live and be happy without a corner lot."

"The street was already sixty feet wide along there before they took my lot and added to it. Now it's got a pocket in it like a pelican's neck."

"We-l-l," she sighed, comically, "the Sooner Girl Café had to have a railroad exposure, like Mr. Noss' modern and elegant 'Funeral Home' as he calls it. What have you ever done for your country, you old goose?" She stood

behind him, rumpling his thick gray hair. Captain Scott smiled, the gloom of his heart breaking.

"Oh, well, keep your job on the paper," he said.

"It's the only place in town, except as lady assistant to Mr. Noss—he's advertising for one in the *Bulletin*."

"Lady assistant! Heaven help us! what length will that thick-skinned scoundrel go to get his gruesome business?"

"That's enterprise, according to the modern definition. We'll have to wake up; we've been marooned on the prairie so long the world has turned around and left us."

"Maybe so," Captain Scott admitted, "but I reckon I'll have to let it spin; I'm too hidebound, I guess, to learn any new tricks like that."

"I'll absorb enough modern ways for the family, just looking across the street from the *Bulletin* and watching that 'Funeral Home' establishment. I'm curious to see what kind of a lady assistant he'll get."

"I wonder if they'd kicked Noss off if I'd sold the lot to him?" he speculated.

"I think they would," said she, nodding her wise head.

"The one thing left for me now is to see if I can get hold of a piece of land to farm. There'll be somebody willing to sell his relinquishment around here, if I can run onto him in time to make a crop."

It was the morning following their eviction from the corner lot. The interposition of Editor O'Brien on their behalf had resulted in nothing. A few minutes before the time set for them to leave he returned, sweating and panting, to tell Captain Scott that persuasion, argument, threat, had failed to move Pomeroy. But he had made a note of it, said O'Brien; on a future day the mayor would pay for his injustice.

All of which did not lift him in Captain Scott's opinion an inch. He believed O'Brien's protestations to be false, his professions of friendship insincere, but he had found a refuge where his welcome was undoubted. Peter Cook, the man who had stood with his back against Captain Scott's wagon wheel while they lay in camp on the border the night before the run, was that man. Cook had taken up an inside lot with a gully across the back of it, two squares from the newspaper office. It was not a piece of ground to move the covetousness of the jumpers, who sought only the best.

Cook was "afoot and alone," as he put it. He had no family, either to cheer or encumber him, his purpose in taking up the lot in Victory having been purely speculative. Now he turned it over to Scott and Timberlake, glad enough to have somebody to hold it for him upon whose stewardship he could depend. Before dawn that morning Cook went away to take a job on the new railroad which was building through.

During the week following Captain Scott's removal to this new location he built a little two-roomed house to provide a more secure lodging for Marion than a tent, in provision against the time when he expected to leave her in Victory alone. It was similar to ten thousand other little board houses which had gone up in Oklahoma in the past ten days, for the pioneers all had one pattern. Captain Scott's house was a trifle more luxurious in the matter of windows; that was the only difference.

Meantime, the survey of streets was finished; Victory had disgorged its overflow from its thoroughfares. There remained still to be disposed of the hundreds who contested for lots, among whom violence was a daily matter, death in the angry contentions a thing of common frequency.

A board of arbitration appointed by the mayor, and given power by ordinance to investigate all disputes over property and decide the ownership out of hand.

This was a valid procedure, for the title of the townsite was vested now in the municipality. The local government had been turned over to the city authorities by the military, the soldiers recalled out of that district. Beyond the enforcement of the excise regulation which prohibited the importation of intoxicating beverages, the United States marshal had nothing to do with Victory, its turmoil and discontent.

The arbitration board was composed of three leading citizens, in whom everybody did not have confidence, in spite of their eminence. It soon became a matter of general knowledge that the board was out for the money, as Mayor Pomeroy was said to be. This was a condition to which the unscrupulous had been looking forward with greedy eyes. It became a race between contestants for any particular lot to see which could get before the board first with his money in his hand. The poor man had no standing there, no matter how plain his proof or just his contention against one of means. He was uniformly discredited and precipitately ordered to vacate, on pain of fine as provided by the city ordinance for the misdemeanor of jumping another's lot.

Under this rule where money talked, jumpers began to show an alarming activity. They would appear on some desirable piece of property at night with a load of lumber and immediately begin raising a house. Women, and other timid and defenseless people, were the victims usually selected, although occasionally the jumpers made a mistake and met hot lead.

When the original holder of a lot thus jumped went

before the arbitration board next morning with his complaint, the interloper usually made a showing on the ground of superior improvements which satisfied that body that he was the more valuable citizen. Title was invested in the jumper, accordingly, who thereupon slipped the necessary salve to the board. It was understood by everybody that Mayor Pomeroy received a large dividend out of this traffic, in consolation for the lack of salary in his office.

So it came in those early days of Victory that graft extended its roots to the farthest ramifications of public and private life. If anybody wanted a favor at the hands of the city administration, he paid for and received it. There was no question of the outcome save that of being able to get to the right place with the money ahead of all competitors. The town became graft fevered. It was a disease with which the otherwise honest were forced to inoculate themselves for self-protection. It was only a phase of the formative period, the hopeful said. Such a thing must be expected in a country which was neither the fish of territory nor the fowl of state, only a sort of illuminated No Man's Land lying between the borders of each.

Nominally Oklahoma was under full federal control. Municipalities worked under a sort of delegated authority, the military and the United States marshal roaming the stern eyes of federal jurisdiction over all. The inhabitants of young Oklahoma were not trammled by the many little laws which hamper the free license of other places, and which it came to, in its own time and way, at last.

The channels for short cuts to official favor in its towns were all open; it was no particular trespass on anybody's conscience to use them, and in violation of no law. In that good garden the thrifty plant of graft grew tall, and threw a long shadow over the land. The town of Victory was

the anchorage of its taproot; Mayor Pomeroy the watchful gardener who nursed it under his careful hand.

All this time an avalanche of protests and complaints was being pressed forward upon the government officials at Washington, from the President downward. Complaints against United States Marshal Kirk were loudest of all, founded on the manner in which his host of deputies had snatched up the best tracts of land throughout the country around Victory. A strong movement was on foot among the original boomers, many of whom had fared no better than their old leader, to have Captain Scott appointed United States marshal in place of the unworthy who held the office there.

Captain Scott had signified his willingness to accept the office, with a peculiar, indulgent smile, as one yields assent to the impossible proposal of a child to quiet its importunities. He would have expressed his willingness to accept the presidency with the same feeling, believing one to be as well within his reach as the other.

Captain Scott's double disappointment was bitter in his heart. After all his labors and sacrifices to open this land to settlement, it had denied him a home. He wondered now sadly whether it would at last grudge him a grave. Long years he had neglected his own opportunities of making a competence for his age to concentrate his best efforts in the winning of this wilderness to the disinherited. Now, with the gray hairs on his temples, he must turn to something else, no hope of a home of his own for many years to come, if ever at all, in that land so infested by scoundrels and thieves. The claim was gone; the lot was turned into the street. There was no redress in either case.

All around him Victory was springing up into the permanency of a city. Before the place was two weeks old, and

while the arbitration board was only on the edge of the apparently interminable tangle of crossed claims, a company began laying water pipes in the streets. Another had set up an electric-light plant and was supplying the town. Telephones were in use; a street-car line was projected; preparations were being made to lay sidewalks and street pavements. Even though people lived by and against graft in Victory, they lived swiftly, crowding to its capacity every dusty hour.

On the same lot with the *Bulletin's* snub-nosed building, Reno Johnson had completed a long, spacious structure after the hasty up-and-down architecture of that country. Her location now, thanks to the unscrupulous favoritism of Mayor Pomeroy, was one of the most valuable corners in the city. Her new building, painted a billiard-cloth green, outranked even Noss' Funeral Home in its prominence against the vista of the passing world.

Here the café did business behind the first plate-glass windows in Victory, and back of the café, on the *Bulletin* side of the building, Reno established a parlor clubroom. This room was furnished with leather chairs and sofas, oak tables, and other modern luxuries, including bottled beer. Membership in the exclusive circle which frequented this club was by card, and it was an unexpected oasis in that land of red dust and redder thirst.

Reno moved about the café and clubroom in a neat black dress now, with a little white apron in place of her gun. She was a handsome girl, a still tongue in her mouth, and a serious eye. Her earringed mother never appeared in the front of the establishment, but from the office Marion could hear her swear sometimes when things in the kitchen went wrong.

Army officers frequented the Sooner Girl Café and club;

Mayor Pomeroy and his advisors transacted much of the city's business there; the United States marshal was its patron and friend. Indeed, without his friendship, the mainstay of the club must have been wanting. He was such a good friend to Reno and her business that other clubrooms in other parts of the town which set up on the same plan, came quickly to an end.

The official and convivial life of the city soon centered at the Sooner Girl. Even Editor O'Brien was to be found there at night, usually the center of a merry company. His ready wit and unusual parts—for O'Brien had been educated by the Jesuits, and the foundation had been both permanent and broad—made him a man much sought. The vagabond of chance seemed to have come into his own.

In the front of the café, where the little Mexican presided—his name was Lope de Vega Martinez—the walls were covered with drawings in colored chalk of local and national notables. Martinez himself was the artist. Some of his portraits were done on white wrapping paper, some on cardboard, and a few on the plank walls themselves. Mayor Pomeroy hung beside Frank James, the Missouri outlaw, now a citizen of Oklahoma. The notorious bandit had dined at the café one day and sat for his portrait unconsciously. United States Marshal Bass Kirk, scowl, hat, and all, hung nearest the door in the most prominent place to be found, like a warrant of the establishment's standing.

All of this development in Victory, in which he bore no hand either to promote its excellencies or curb its faults, caused Captain Scott to feel the isolation of his situation with double pain. His highest hope now was to get a piece of land to work on shares for the summer, and in the fall

to buy out some discouraged settler's claim. Beyond Oklahoma there was nowhere for him; his eyes had turned so long in that direction they had forgotten the way back to the rest of the world.

Marion had made her place in the new country already, after the quick way of youth. O'Brien declared she knew more about running a newspaper than himself, holding her his indispensable associate. Oklahoma had made way for her with a smile. Already she was "Miss Marion" to half the important people of the town.

Captain Scott, noting how well she stood in her place in the community, and grateful at least for that concession, felt that he might leave her safely in the little house on Peter Cook's lot to pursue his clouded fortunes. He was thinking of this one morning as he brushed the brown mare's seal-fine coat after Marion had gone away to her work on the *Bulletin*, when a homesteader from No Water Creek stopped to admire the animal's fine lines.

The homesteader was an old man as lean as dried beef, and as brown. His cheeks were pinched as if starvation had been squeezing him there with finger and thumb through many a long, hard year, and he was spiked with a great mustache, dry, out-sprangled, white. His hat flopped over his hair-ridden ears; there was a bright blue patch on the shoulder of his shirt.

They struck up a conversation on easy and friendly terms, as men will do when one admires another's horse. One who had known Captain Scott a few weeks before would have noted a change in him, something that seemed to place him in dusty kinship with the man in the wagon. The spirit seemed oppressed in him; he looked older; his rugged features were careworn and sad, like the face of a man who had lost a son. He stood with his foot on the home-

steader's hub, in the friendly manner of the long-legged men of frontier days.

"It's mighty dry over there," said the settler; "looks like it might keep dry all summer. I ain't turned a furrer, but all around me they're plowin' up red dust on their claims. It looks to me like a big fire had burnt for a thousand years all over this country and baked the natural ground color out of it. You don't never see no black dirt in this country but in the bottoms, and I tell you, friend, I've got my doubt about this red dust growin' anything when it does rain."

"It must have its use, I reckon."

"Maybe for makin' bricks out of," the old man allowed. "If I'd 'a' knowed what I was comin' to, friend, you take my word I never would 'a' sold off my hogs up in Ioway and spent the money on this fool trip."

"You're not alone in your disappointment; there are thousands that would leave tomorrow if they had anywhere else to go."

"I'd find somewheres, by crackey, if I could git some feller to buy me out."

"You might regret it," Captain Scott suggested.

"Then ag'in, I might not," said the homesteader decisively. "Them people that knowed the country and got here ahead of us they're all right; they've got black dirt with trees on it that'll grow anything. Shucks! out there on my claim the ground's as red as Bridget MacFadden's hair, a kind of mean, onery red that makes me cuss every time I see it."

"It is a peculiar soil; I never saw any like it," said Captain Scott. "But you can't tell what it will grow till you plant something and give it a trial."

"I'd just as lief stir a sand bar in the Mezoury River,"

said the old man, feelingly. "I tell you, friend, us fellers that come in here tailin' the rush we had to take the leavin's up on them red-dust pe-rairies, and I wouldn't give one acre of Ioway land for all that's a layin' outdoors down here. I'm ready to quit and git out. If you see any feller that wants to buy a cheap claim, send him over."

"What would you take?" Captain Scott inquired, slowly.

"Any man that'll give me a hundred dollars can git my relinquishment quicker 'n he can bat his eye."

"I'll go out and look it over." Captain Scott turned at once to saddle his mare.

That afternoon the discontented homesteader signed over his interest in the claim to Captain Scott, and turned his face to crawl like a singed locust out of the country of red dust.

CHAPTER XI

THE SHADOW OF A ROCK

WHEN Captain Scott took possession of his claim the exodus of the disillusioned was under way. The black-dirt people were trailing out to the borders, to become renters in the surrounding states. They were men without vision, whose hope was dead. Some were too poor to leave, and unable to sell their relinquishments. These remained out of necessity. Others had the courage and determination to stick and give it a trial before damning it, but the vast majority knew that the world's door was closed to them elsewhere, the free gifts all distributed. For them it was Oklahoma or nothing, and surely it could not be worse than nothing at all.

Few who had been obliged to take the "red-dust" claims, as they were called, had any faith in the productive possibilities of that peculiar soil. They thought it was sand, for the nearest parallel to it in the northern states from which they came was the river bars. Captain Scott thought of the black mold in the little valley where the sooner had nested on his dream as he turned the red earth of his new quarter-section with his boot, wondering what besides grass it would grow.

His homestead was an upland meadow where deer had grazed but a few weeks before. They were serving venison steak with thirty-five-cent meals in Victory now. He asked himself whether the people who had dispossessed the deer would be much better off than they at the end of a year. He

could look down into the valley of No Water Creek, where a widow from Arkansas had stopped on black dirt. She had a little triangular piece of that valued soil, enough to grow her tobacco and okra on, with a patch of corn. Then her land ran up the little slope scrubbed over with sumach, and met his own bounds where the ground was red under the grass roots.

Mrs. Prater, the widow, was the envied owner of a spring. It issued from the bank a little way from Captain Scott's line and made a moist strip in the bed of No Water Creek. Captain Scott dug a large pit to conserve this overflow, walling it with stone, for drought brooded over the new land; sweet water was becoming a precious thing.

No rain had fallen in weeks. Small streams had wasted away; springs upon which the homesteaders had depended vanished. Water had become the greatest question among many serious obstacles and discouragements which the settlers were called upon to solve and overcome.

June was at hand, with no promise of a crop. Fields had been plowed around the little board houses and tents with stovepipes in their roofs. They were brick-dust red now under the ardent sun, no green showing in them, the seed unsprouted in the drills. By day the wind blew, fretting the fields into clouds of dust which carried into the distances and gave the sky a burnished cast like a tornado cloud, to change on the horizon at sunset to the crimson of cooling iron.

Added to this threat of hardship from the drought was the peril of claim-jumpers, who were growing bolder in their operations every day. Without those land pirates there would have been trouble enough over the question of titles between earnest men and women who had come there with the legitimate purpose of making homes.

In hundreds of cases two or more people had settled on the same piece of land through mistaking the bounds. Usually the man best supplied with cash bought the other claimants out; not infrequently they resorted to arms, and lives were lost; again, they divided the land between them, content to have little rather than none.

But there were no half-way measures, no compromises, to be made with that conscienceless pest, the claim-jumper. In that particular section these adventurers were thick. No homesteader knew when his day might come to face a contest with them, or to march out and abandon to them all that he owned as the price of his life. Above the vast stretches of that newly peopled country there hovered an air of unrest. Men sunk their wells in trepidation and followed their furrows in fear.

Certain sooners, who had repudiated their contract with the powers that had placed them on the land, and had gone bullheadedly to work to make themselves secure in their own right, uncovered the plot that underlay this persistent claim-jumping. These sooners declared that the jumpers were working in the service of a syndicate of cattlemen who had grazed that country under lease from the Indians, and knew its agricultural possibilities. The headquarters of this gang was said to be in Victory, the leader no less a person than United States Marshal Bass Kirk himself.

The desperadoes whom they hired to jump claims and drive the settlers out were cowboys and refugees from No Man's Land. The reformed sooners said the purpose in view was the acquirement of a vast tract of land in a body in that section, the title to which the sooners and jumpers would relinquish to their employers when they had filed on it and completed the preliminaries of ownership.

The imperfect act of Congress admitting the lands to

settlement made it possible to carry out such a scheme of iniquity. Indeed, the same scheme has been worked successfully in the West and Northwest since those Oklahoma days, through which many million acres of public land have been stolen.

During the first few days of his occupancy of his claim, Captain Scott heard the gloomy reports of his neighbors with a deep feeling of concern and indignation. It seemed incredible to him that men should sit tamely in their tents and allow these thieves to ride up and kick them off the land in that bold and notorious way. The veteran sheriff kept his pistols ready to his hand. There was no longer any question involving his tenure on the land where he stood; the old man from whom he had bought it had filed regularly. Captain Scott knew that he had standing room in Oklahoma at last, even though upon a red-dust claim that might prove worthless in the end. But, good or bad, no man should wrest it from him without a fight.

Mrs. Prater feared her spring would be an especial inducement to some band of jumpers. She enlarged on this uneasiness while Captain Scott was digging the well to hold the water wasting in the dry bed of the creek. He only straightened his strong back from his task to look into her eyes for a moment. There was something in his honest, rugged, determined face which Mrs. Prater felt, although she did not entirely understand. Her heart leaped with new courage; she planted her last okra seeds with restored confidence.

Mrs. Prater was a tall, flat woman whose hair was cotton white. Her skin was brown and muddy from weather, tobacco, and fried food; her face was sharp, her black eyes were bright. She told Captain Scott the simple story of the one eventful hegira of her life.

She had started from her hill in Arkansas with a poor team, a lean cow, and a coop of chickens. When she joined the race from the border she soon realized that the cow's horns were all of the beast she could hope to arrive in Oklahoma with if she went fast enough to hold her own in the rush. So she cut the creature loose. The chicken coop jolted apart in the wild gallop over gullies and stones; she came into Oklahoma strewing fowls all along the way. When she turned to her wagon after driving her stakes, there was one little pullet left in the corner of the coop. It could have escaped along with its mates, but fear doubtless had deprived it of its original small sense. Mrs. Prater believed it was loyalty instead of fright which had held the little chicken in the wagon. She would have starved before she would have sacrificed the pullet to sustain her own life.

One of her horses had fallen on the land she claimed as her homestead. If that calamity had not overtaken her, Mrs. Prater would have continued on to Victory, where she had hoped to become possessed of a ten-thousand-dollar lot.

Before laying his hand to breaking ground for a crop, Captain Scott built himself a house. It was one of those lonesome-looking, plank-roofed shacks such as one still sees in the plains country, off in the far places, standing sun-scorched and eloquent of discomfort against the glaring line of sky. When this shelter stood ready to protect his head against sun and storm, Captain Scott began to plow his land for planting, although he had little faith in the soil.

He was thus engaged, it being the middle of the forenoon a few days after taking possession, when Mrs. Prater came hurrying across his field. She was bareheaded; as she advanced she waved her arms in the gesticulation of despair. Captain Scott stopped his team, waiting for her to approach.

"I knowed it, I knowed it!" said Mrs. Prater, in the

fatalistic tone of one who finds some long-expected disaster at length upon his heels. She was panting from her run, her beautiful white hair astray over her face.

"What's happened?" he inquired, knowing very well beforehand what her reply would be.

"Jumpers! they're down there now, two of 'em. They drove up a little while ago and told me I didn't have no right to that claim and said I'd have to pack up and rack out by noon."

"Did they disturb anything—take down your tent or break up your things?"

"No. They acted like they was goin' to, but I grabbed the ax and stood 'em off. But a ax ain't no use; I want to borry a gun."

"I reckon there are men enough in Oklahoma to sling the guns, Mrs. Prater." Captain Scott spoke slowly, with a calm kindness that was almost a rebuke for her request.

"Yes, and they started plowin' up my land like it belonged to 'em," she said, anger blazing in her black eyes.

There was a little glimmer like a smile in Captain Scott's eyes as he lifted his thoughtful head.

"Let them go right ahead and plow," he said; "we'll see about it after a while. Go back home and stay there, and don't worry—I'm going over to the edge of the hill to break a strip I want for potatoes. I can see them from there; I'll keep an eye on them. You go on back."

At noon the jumpers turned out from their plowing. When they headed for the spring to water their famished horses, Captain Scott went to his little house, strapped on his revolver, and put on his coat to hide it.

One of the men was sloshing the horse bucket in the spring, the other curbing the thirsty beasts with curses and kicks. The ruffians doubtless believed themselves safe

against the wrath of an unarmed old woman and were not keeping watch. Captain Scott came deliberately down the slope. They saw him while he was several rods away, and faced him with suspicious alertness.

They were sinewy young men, of the type so common in the plains country at that time. The prairie and the saddle put their stamp on a man who followed them, as distinct and unmistakable as the molding which the sailors of the old clipper days got from their ships and the sea. Both of them were armed with low-slung revolvers in chafed gear.

"Belong to this outfit?" the taller of the men asked, jerking his head toward the tent as Captain Scott stopped on the other side of the spring.

"No; I'm just a neighbor."

"Then you better be cuttin' the dust out o' here, you old sooner!"

"I thought I'd step over and see how you boys were getting along with the widow's plowing," said Captain Scott, in his mild and gentle way of speech.

"Which plowin', pardner?" the lank cowboy wanted to know. He spoke with contemptuous stress, slewing his ugly mouth.

Captain Scott had fallen into his peculiar, defenseless-looking posture which made him appear to shrink and prepare to ward a blow. But put him in a saddle and pose him so, and it would be found that his raised left hand would be holding the reins above his high saddle-horn, his right on the butt of his gun. He would look quite different there. But now, as he stood on the little mound of earth above the spring, he was only a grave, gray man with his coat buttoned around him on a hot day, his arm bent as if he might be crippled in that member.

"It was kind and neighborly of you boys to come over

and plow the old lady's ground," he said. "She lost one of her horses and hasn't got the means to hire the work done."

"If I couldn't make a better guess than that, stranger, I wouldn't put no money on the table," reproved the tall man, whose upper lip was split like a rabbit's by the scar of some old cut.

"We never plowed up that ground for no widder woman, gran'paw," the other one put in. "We plowed it for two little orphan boys."

"You thought you were doing it for yourselves, maybe, but I say you were plowing it for her."

Captain Scott's tone was as hard as the look that had come into his eyes. The hare-lipped man threw his hand to his weapon; if a scowl could have withered a man, Captain Scott must have turned to a cinder in his tracks.

"Who in the Billy Hell are you? Where did *you* come from?" The jumper jerked out his words, flinging them at Captain Scott as if he despised them for their menial office.

"My name is Scott; I'm from Kansas, but a stranger to this part of the country."

The cowboy's hand slipped on down from the butt of his pistol; his arm hung loose at his side. A paleness spread in the faces of the jumpers when Captain Scott spoke his name; the big one hung his head, kicking the ground with his heel as if reconsidering his status on the widow's claim that calm summer day.

"I reckon we *was* plowin' that ground for the widder, Cap'n," he allowed.

"Well, I reckon you might as well let it go at what's done," Captain Scott kindly suggested.

"Come on over and git them plows!" said the hare-

lipped man in his grunting voice, dragging his unsatisfied team away from the spring.

As the jumpers hitched to their plows to drag them to their wagon, they talked together in low, disjointed words, throwing quick glances in the direction of Captain Scott, who had turned to watch them. There was a growing haste and anxiety in their movements as they threw the sod-plows into their wagon.

Mrs. Prater was in front of her tent, turning her wondering eyes from her nervous enemies to Captain Scott, who stood calm and dignified off to one side a little, in his waiting, expectant pose.

"I thought I knowed him when he come down that hill!" she heard the tall man say.

The jumpers hitched a team to the wagon, scrambled into it with furtive sharp flashes of their eyes back at Captain Scott. Then they drove out into the road and away, going faster as they went farther. Captain Scott watched them until the little rise which the wagon mounted presently hid them. When they passed out of sight he went back to his team.

Mrs. Prater was so astonished by the panic of the jumpers that she suffered a passing paralysis of the tongue. Before she could limber that usually ready organ to its accustomed duty, Captain Scott was half way up the slope.

"He never touched a gun — never *touched* a gun!" she marveled.

Many of her neighbors came to Mrs. Prater's spring for water. Women with sharp shoulder blades came with troops of dusty children and their pails from a mile distant; some who were located farther away drove up with barrels to cart off supplies of what the drought had made the most valuable of natural or artificial products in Oklahoma. No matter

how near or how far they came, Mrs. Prater went to the spring and gave them welcome, cheering them in their depression by giving them the news of her rescue from the rapacity of the jumpers. She colored the scene between Captain Scott and the two men according to her varying moods, but always enlarged its dramatic incidents a bit as she repeated the story.

Women went away from the spring walking fast, color in their faded cheeks, new fire in their weary eyes; men whipped up their teams in their eagerness to carry the news of the man who single-handed had driven off two of the desperadoes who went around robbing the timid and defenseless. Here was somebody to stand up for them in their own hour of extremity, the threat of which hung constantly over them. In their hearts they vowed they would fly to Captain Scott for help if the jumpers should descend upon their claims some evil day.

A few days after Captain Scott drove the jumpers from Mrs. Prater's claim, a delegation of homesteaders called on him. There were seven serious men in the committee, mainly patched and poor, for only the late-comers and the renters, the poorly-equipped and the disinherited from other lands, had the strength of desperation in them to settle on and hold the "leavin's," as they called the red ground. They stood off in a respectful circle, each man stepping forward to shake Captain Scott by the hand as the spokesman, a huge fellow in a shaggy red beard, presented them by name.

Last of all he made himself known as Leavenworth Fisher, "from the southwest corner of Newbrasky." He was a blacksmith, his forge being set up at the cross-roads a few miles to the south.

"More or less we heard about you, one way or another,

while we was waitin' up in Kansas and after we got down to the Strip," Fisher explained, his hat respectfully in his hand, his cropped hair standing like stubble on his hard, small head. "None of us didn't know we had you for a neighbor, though, till we heard about you drivin' them thieves off of that widder woman's claim."

"I haven't been here long; I bought a relinquishment on this place," Captain Scott told them.

"Well, I'll tell you, Captain Scott, what we come over here to see you about," said Fisher, driving to his point just as he hammered a hot horseshoe on his anvil. "We look to you, like most everybody down here in Oklahoma, as the man that give us this country, and now we've come to ask you to hold it for us, like a pack of children."

They had talked it over, Fisher explained, and had reached the conclusion that the law, such as it was, wouldn't give them relief from the conditions which were growing worse day by day. Until some kind of a local government could be organized, the homesteaders would have to band together and enforce a few simple, homemade laws of their own, seeing that the United States marshal could not be depended upon to protect them. The only thing holding them back was the need of some man "with brains" to lead them and advise them how far they ought to go.

"We look up to you as that man," he said. "Them jumpers have killed four men in less than a day's ride in a circle from this place in the past week. It's gittin' commoner every day for some man that tries to stand up for his rights to be shot by them fellers. More than that, some of these here sooners that was put in here by Kirk as deputies have been killed because they reneged on their contract. They refused to turn over the land to them men that put 'em in here ahead of honest people, and

they've had to pay for it. Sooners that's turned their coats have told us the inside of that deal, Captain Scott. It's one of the biggest steals of land that ever was laid out by mortal man."

"Them jumpers they're sendin' in to do what the sooners failed to carry out are comin' thicker every day," said one.

"They give a man thirty minutes, sometimes an hour, to pull up his stakes and light out," Fisher said. "These folks around here they ain't much on the fight when it comes to standin' up facin' two or three. They've been kicked from pillar to post, starved and cowed, all their lives; they ain't no fight in 'em, Captain Scott, 'specially if you take 'em single and alone."

"They can't be blamed for being afraid of these cattle thieves and escaped convicts from No Man's Land," said Captain Scott.

"The smartest thing a lone man can do is go when they tell him to," said Fisher, nodding his head. "But if we could clean them jumpers out of this country and git a rain——"

The possibilities of such a happy condition were too large for the blacksmith's vocabulary. His words hung suspended, leaving the rest to the great sigh which he breathed out of his mighty chest, and a wide spreading of his great, forge-blackened hands.

Captain Scott assured them of his sympathy in simple words, relating his own discouraging experience with crooks of one kind and another in that country.

"They pulled everything out from under me that I set my foot on till I bought this piece of land from the old codger that filed on it," he said. "Like you men, I've set my jaw to fight for this. We can defend ourselves and our neighbors and still keep inside of the law."

Then and there those eight earnest men, standing on their last hope in Oklahoma, organized the Home Defenders' League. Captain Scott was elected president. The rest of them rode home that evening with a feeling of security and strength such as none had enjoyed since the invasion of the murderous band of claim-jumpers. There was help within call now for the hour of necessity; they were no longer single-armed men on lonely, wide-scattered claims.

The fact that Captain Scott was at the head of the Home Defenders' League gave it immediate standing. Homesteaders hastened to affiliate with it; the movement spread through the country surrounding Victory in less than a week.

There was no secrecy in the operation of the league, no night riding, no violence, no masking, no sending of threats. All those who were known to be contesting claims without legal color or moral right, all those who had come in since the day of the inrush and driven the lawful holders from the land, were waited on by a strong committee of settlers and given notice to quit the country at once. The leaguers accepted no promises in cases where warnings were given. They simply sat by on their horses, rifles ready, while the claim-jumpers loaded their possessions; then they escorted the rascals a few miles along their way.

There were no shrouded figures, no whippings, and swift riding through the gloom of night about this. It was such an open-handed, healthful movement that it had more the appearance of a business than a substitute for a needed law. The members of the league always moved on these expeditions in such numbers, so well armed, under such thorough discipline of their leader, that resistance would have amounted to annihilation for any jumper. Nobody

attempted to stand against them. After the first few removals, claim-jumping in that section came to an end. The thieves who had not yet received their notice to depart did not wait for it, but sneaked out in the night.

Branches, or camps as they were called, of the league were organized in surrounding counties; the movement spread over the whole of Oklahoma, reaching into the remote places like an invincible arm. The strength of it, the nerve and the motive power, were centered in that grave, gray man on his red-dust claim. Lone women homesteaders looked their benediction on him when they met him in the new highways, where the wheels were only beginning to wear through the matted grass. The settlers came to invest him with something like superhuman qualities. Stories were told of desperate men who had lifted weapons against him, only to tremble and fall into a sweat, drop their guns and flee, when he turned his stern eyes upon them. In that manner his romantic, long-reaching, beneficent shadow grew over the land like the shadow of a strong oak, in the shelter of which men sit down to rest in the heat of the day.

Rain was the one thing wanting now to make the settlers entirely easy of mind in their new homes. The June days were passing, but the skies still glared in discouraging sternness upon the hopeful activities of men. Women stood in the doors of their little houses, set in the bleak nakedness of that vast, raw land, lifting sad faces to the sky in search of a cloud; men tried the dry atmosphere with their hard, cracked hands, outstretched as if for alms, with the last look outdoors at night, with the first emerging at dawn. They met in the highways and spoke of it solemnly, as they might have spoken of war; women rocked their infants where they could search the heavens incessantly for its coming, like those who wait a long-delayed physician.

Still the settlers struck long furrows, where furrows never before had streaked the plain; still their harrows tore the sod, sending the red dust streaming on the restless winds. Oklahoma could not be all a lie, they believed; the hope that had carried them to it still lived in their breasts to redeem it and make it great.

It was long after the last seed was in the ground when, on a still, hot afternoon, a cloud lifted in the southwest, stretching a gray-green curtain of rain across the famished land. It came with a galloping hurricane which swept ahead of it all the dust, it seemed, that had blown out of Oklahoma since men began to plow, and the eager rain which charged after the wind trampled it down again in the fields where it belonged. It came with blinding flashes of lightning which stabbed the hot earth like bayonets, and in blasts of thunder which rattled the windows in the little houses; it came in terror, as if to destroy instead of to save, but men stood with bare heads to receive it, women ran out to welcome it with outstretched arms.

The rain renewed the creeks and springs, brought water into the dry waiting wells; it swelled the seed which lay in the dusty fields, and wrought its magic over the unplowed prairie lands where grass sprung green in a day, and flowers crowded their delayed weeks into one sudden crescendo of bloom.

With the following days a transformation came over the red-dust land. There seemed to be some potent mystery in the composition of that soil. The black-dirt farmers from the north never had seen corn come out of the ground with such sturdy stalks, or oats shoot up in such astonishing luxuriance. Songs rose out of the red fields where abundance seemed assured. The disinherited had come into their kingdom at last.

CHAPTER XII

COMMON FOLKS

THERE were plenty of men in his day, who called the art by a more delicate name, who could not fiddle half as well as Jim Timberlake. Jim held the instrument's shoulder against his chest, instead of under his chin in the manner of a virtuoso. He wanted it low, he said, so he could bear down on the bow.

In the dusk of the day he sat on his wagon tongue playing his merry tunes, from *Devil's Dream* to *Mississippi Sawyer*, keeping vigorous time with his lumpy foot. People came out of their tents and new houses to listen, for Jim's music was the kind that tingled the ears. If ever a musician put his soul into his tunes, it was Jim Timberlake. It is true they were only simple, quick-moving, merry tunes, but Jim's soul was simple also, and it would have flashed in the sun like a new piece of tin if it could have been taken from its homely case and turned before men's eyes.

Marion Scott smiled when she looked out at the weaving figure on the wagon tongue. Jim was playing *Gray Eagle*, and his execution in the passage where he suspended bowing to pick the melody out on the strings was all the most exacting could have demanded. This especially of an artist whose stage was a wagon tongue, whose melody was flung out into the world without a value on it, to be listened to or ignored, according to the caprice of those who passed. Marion felt that some reward was due this unselfish effort. She went down the lot—Jim was occupying the back of

it—and stood near him while he played. He gave her a hearty nod and a spoken greeting, neither interfering with his tune. When he finished he stood the fiddle on his thigh with a loud, happy sigh.

"I always liked that tune, Mr. Timberlake," she said.

"I'm glad you do, honey," Jim returned, warmly. "I thought maybe a little music'd cheer you up—it must be kind of lonesome for you here nights since your daddy left."

She admitted it was so.

"Well, it won't be after tomorrow," Jim said. "I've sent for Lizzie and the kids; they'll all be down on the morning train. They'll liven things up around here, seven of 'em—eight, countin' me."

"It will be nice to have them here," she said, without going into the details of whose enjoyment their numerous presence might be. She wondered where he was going to store all of them in his wagon, for he had no tent.

"Yes, I think I'm goin' to do right well here," said Jim, "haulin' and truckin' around for folks—there's a powerful lot of it to do. By fall I aim to have enough to build me a house somethin' like yours, but maybe not quite as fancy. We're common plain folks; we can git on as handy as a pocket in a shirt without no floor."

"Your children will be able to help you here; there are lots of opportunities for young people in this country. You'll do better than you did up in Kansas, I know."

"Well, I got a start laid by in Texas one time," said Jim, drawing his bow with a sound like a sigh for that lost beginning, "but I squandered it roamin' off to look for a better place. I aim to git another one here—I'm goin' to stick to it till the bottom falls out, b'jigs! My oldest livin' boy, Jim Coogler—we lost two before him,

one in Mezoury, one in Texas—he's nearly twenty, as big as a skinned horse. He'll take a job on the new railroad drivin' a scraper-team, and maybe Lucy Lee can git a holt at something to help out a little. Even the little tads can do a trick now and ag'in to turn a chip with a bug under it, as the old hen said."

Jim was as eager over the prospect of getting his family to work as a capitalist who sees an opportunity to employ long-idle funds. He ran his bow over the fiddle in a lively little prelude, broke it off as abruptly as he had begun it, and stood the instrument again on his bony thigh.

"Ye-e-a-h," said he, with an in-sucking sigh, "if they was all boys and fetchin' me in a dollar a day apiece, I wouldn't have to bark m' shins runnin' around lookin' for a job no more. The old woman can weave rag carpets with the best of 'em that ever kicked a loom, too, but this country's too new for the women folks to have any rags saved up. It'll be four or five years before they git that fur along down here in Oklahomey."

"We'll get raggedy enough for it in time," she laughed. "I left an iron on the stove; I must go."

She thanked him for his music, darting away to her little house where the lamp burned in the window. Jim took up *Arkansaw Traveler*, in which piece he was an entire company of actors and musicians. He mimicked the voices of the stranger, and the Arkansawyer sitting with his fiddle beside the door of his cabin in the woods; he took them through the first part of the monotonously repeated air with a fine illustration in his varied tone of contempt on the traveler's side, indifference on the settler's; he imitated the growl of the hound which sniffed the traveler's heels when he accepted the invitation to "light and look at your saddle," even the nasal treble of Sal

when she rolled a pumpkin from under the bed to "let the stranger set da-a-own."

Jim had reached the spirited passage between the native and the traveler where the Arkansawyer challenges the stranger at his door to play the rest of the tune, the traveler's acceptance and brilliantly rapid execution of the treble crescendo. Marion paused in her work of ironing by the window to listen, smiling her appreciation of the spirit that Jim put into that old backwoods classic.

"Musuc!" said a voice out of the darkness beyond her window.

"'There was a sound of revelry by night,'" said another, unmistakably the voice of Charley Akers, the printer from everywhere.

"We will investigate the source," said the first speaker.

Marion heard them pass along the end of the thin-walled house on their course toward Timberlake's wagon, which could not be seen from the street on account of the sudden dip in the land. Jim was at that moment representing the extravagances of the Arkansawyer in his jubilation over having discovered that there was a second part of the tune, the first part of which he had been playing for forty years.

Jim concluded the piece with the proper flourish, running his thumb over the strings as he tightened a peg or two after the vigorous bearing down of the bow demanded by the "Arkansaw" classic.

"Pan!" said the fatty-degenerated voice of Charley Akers in the simulation of awe. "It's the hairy god himself, sitting on the tongue of his chariot—or did he have a chariot, Ed?"

"Esau, if he's hairy," the one called Ed replied, in voice of importance admitting of no controversy.

"Esau didn't play the fiddle; there's no authority for

it—I defy you to cite your authority for it!” Charley was scholarly belligerent. Marion, too well acquainted with the gentle old fellow’s failing by this time, detected a tipsy stumbling in his tone.

“Hoyle,” said Ed, with finality; “according to Hoyle.”

“I maintain it’s Pan. We’ll find his feet cloven if we take off his boots.”

“It is written the gods are no more,” said Ed, sorrowfully, as if he had suffered a personal loss in their going.

“Good evenin’, gentlemen,” Timberlake hailed, with ringing cordiality. The men, who had halted some distance from him to have their argument out, now drew near.

“Mr. Pan——” Charley began.

“Esau——” interrupted Ed.

“Timberlake’s my name,” said Jim, a little snappishly, being tender on that point.

“Give us piece of music on divine instrument,” begged Charley, bending in posture of homage, clutching his comrade’s coat to save himself from pitching on his nose.

“*Andante, da capo, piano, pianissimo*,” suggested Ed.

“Ya-ah,” said Jim, with the expression of a man who wanted it to be known that he understood they were trying to make game of him, and that he resented it properly. “I don’t play nothin’ but plain tunes, boys. None of your dago music for me. If my kind don’t suit you, pass on.”

“Are you familiar with the Hungarian school, sir?” Charley inquired, in grotesque courtesy.

Jim turned his fiddle upside down, to indicate that the disposition to entertain had departed from man and instrument alike. He looked at his visitors through the deepening night, shaking his head decisively.

“No; I ain’t got no use for them Hungarians,” he said.

"I rented a piece of ground from one of 'em up in Kansas one time and he'd 'a' beat me out of my boot heels if I hadn't 'a' lost 'em already."

"Esau is in an unfriendly mood," said Ed, who stood short and round on his unsteady legs. "Maybe the spirit of the vine, the divine fire of the noble grape——"

"Figur-atively, Ed, figu-ra-tively, let him understand, Ed. It's bootlegger whisky, cost dollar pint, tears its way like dynamite."

"Might stir, might move, so to speak," continued Ed in the same breath that Charley's explanation had interrupted, "that lofty soul to flood the solemn night with melody. Esau, will you have a little drink?"

"I never touch it no more, boys," refused Jim, politely.

"I will not insist," said Ed, returning the flask to his pocket.

All this time Charley Akers had been looking at Jim in his tipsy, half-clouded way. Now he came nearer and laid his hand on the fiddler's shoulder.

"That voice!" said he, with melodramatic accent.

"It is the voice of Esau, but the whiskers of Jacob," said Ed. "No, I should say it is the whiskers of——"

"Where have I heard that voice?" pondered Charley, swaying on his limber legs, forgetting his hand on Jim's shoulder.

"Charley, you better go on home and git to bed," Jim suggested in mild reproof.

"He speaks to me, he calls me by name!" Charley laid it off to his friend in triumphal flourish. "You heard him call me by name, didn't you, Ed? You know who this gent'man is, Ed? He's Jim, friend days adversity; Jim, good old friend Jim!"

"Ya-ah, Charley, you're a great old feller for your

joke," said Jim, ashamed of his company but helpless to rid himself of it.

"This is Ed Courtney, man of attainments, man of high attainments. Paints signs forty-foot ladder. University man, educated man, little gent'man all over, Jim."

Ed offered his hand, but it was either too dark for Jim to see it or he overlooked it intentionally, for he was not favorably impressed with the versatile Mr. Courtney, no matter for his recommendations. Ed stood holding out his hand like one importuning a gift; shifted his balance, threatened by the long-standing offer of his friendly token.

"I'm a man of high blood," said Ed, haughtily withdrawing his hand at last, "my father owned an *es-tate* at Manchester-on-the—what is it on, Charley?"

"On the Kaw, Ed."

"No, you mean Manhattan," said Ed, scornfully impatient.

"Never mind, Eddie, nev-er mind," Charley comforted.

"Owned an *es-tate* at Manchester-on-the-main——"

"Mizzen-mast," suggested Charley, helpfully.

"But it went up in smoke; they beat him out of his rights."

"Yes, and I had a brother that was section boss on the U. P., but he got fired," said Jim, sarcastically. "Ya-ah, go on home and go to bed, you two old night owls."

"Friend days of adversity, wasn't you, Jimmie?" Charley came nearer, and tried to put his arm around Jim's neck.

"I ain't knowed you more'n a month," said Jim. As a measure of self-defense against his tipsy tormentors, he began to play his fiddle.

"That's music!" Charley declared, assuming a ridiculous pose of rapture, his face turned to the sky.

"Huh!" scorned Ed, "that's not music; it's murder of a divine art."

Jim broke off his tune with a short laugh. "Oh, well, if you don't like it, boys," said he.

"I adore it!" said Charley.

"You don't know music from sound," Ed protested.

"I'll stand by him, one musician by another." Charley put out a protecting arm, from which Jim drew back, almost losing his balance on the wagon tongue.

"What can you play?" Ed wanted to know, in doubt and discredit.

"I can sing like a bird, like nightingale in the bower."

"Let me hear you do it," challenged Ed.

Charley removed his hat and stood with it in his hand, struggling with himself to strike a romantic pose. He hummed a preliminary experiment, now high, now low, now middle. Presently he struck up, in tuneless, dull voice:

*In the good old colony days,
When we lived under the king,
Three rogues got in-to trouble — ah-h,
Because they could not sing.*

There he stopped for breath, as well as to observe the effect. Ed produced his bottle.

"Here, Charley," he said with pitying softness, "you need another drink. The need is both pressing and immediate."

"I don't think you need any more right now, Charley," Jim interposed with friendly concern, rising from his seat on the wagon tongue.

Charley already had the bottle in his hand. He checked it in its course to his mouth and stood with it poised.

"Why don't I need 'nother drink?" he asked, argu-

mentatively. "Why don't any man, all men, need 'nother drink?"

"I don't know, Charley," Jim admitted, employing diplomacy to avoid offense. "I don't reckon they all do, me for one."

"All men need 'nother drink," Charley insisted. "I can prove it by Ed, old friend Ed. Why do you need 'nother drink, Ed, companion happy days?"

"Because I'm a painter," said Ed. "I have to drink to neutralize the lead I absorb."

"I'm printer; I have to drink to neutralize—ever'thing," said Charley, flourishing the bottle, "ever'thing in world. All the troubles of world come to printer's shoulders; he has to set 'em, ever' day. Old Atlas editor goes out to gather golden apples, leaves old Hercules printer to hold up the world. That's why I need 'nother drink, Jimmie, friend adversity, that's why I need a-nother drink."

"Good night, Esau," said Ed.

"Good night, boys," Jim returned, his placidity apparently undisturbed.

Charley Akers was standing in an attitude of bewilderment and surprise, looking at the window in which one end of Marion Scott's ironing board rested. He groped out with his hand toward his companion in conviviality, without removing his eyes from the window, making a hissing noise to impress caution and silence.

"Bend low!" he whispered, laying a hand on Ed's arm. "Don't make as much noise as moonbeam when you pass that house, I tell you, man! If she sees me in present state and company, I'm disgraced and ruined man!"

True to his schedule, Jim's family arrived next morning, all except Jim the younger, who went on to drive a team

on the dump of the new railroad. From Lucy Lee to William Riley they were a towheaded, wall-eyed lot, full of dissensions and squalls. Marion offered Jim the use of her father's tent to shelter them, which he accepted with such easy grace that any sense of obligation was lost.

Mrs. Timberlake smoked a pipe. She was ague-complexioned, lean, tall, with spare skirts on her bony legs. Her face was angular and plain, her big, dark eyes sad and unsatisfied. Her left arm was stiff at the elbow from an old break suffered when a horse threw her on one of the expeditions between Kansas and somewhere. Taken altogether, she was a good mate for Jim. If today was pretty fair, tomorrow would not be worse, in her philosophy; as for yesterday, with its good and evil, it was water that had gone into the big river.

"I never take any more trouble onto my back than I can kick off with my heels," she used to say, in the proverb common to her kind throughout Arkansas and Texas, where the renters and rovers have a philosophy of their own to fit their peculiar lives. It was a very good and comfortable rule of living, along with such a hit-and-miss provider as Jim.

Timberlake's "mess o' young uns," as he called them, began with a son, Jim Coogler, after himself, and ended in a son, William Riley, after nobody in the family. Between the sons stood a line of four girls, freckled, fair-skinned, fat-shanked. Lucy Lee, the eldest of them, was as big as a rain-barrel, her mother said. It took a lot of calico to cover her. Mary May—after a song which Jim played and sang—was not so broad, but the calico went into length, so it all amounted to the same. Rosy Heart stood stocky, like a gatepost, with a marked outward

bending of the legs, and Dolly Dove had eyes as blue as asters.

William Riley was about four. He was as fair as clabber, pale-eyed, white-haired. All day he went about wearing his father's vest, which came down his legs as far as Justin Burris' coat, with a string tied to the dishpan, playing he was his pappy. He was the especial pride of Jim, who saw in him a mover, a freighter, a genuine bud from the old hickory.

With this interesting collection on the back of the lot, Marion felt that her unemployed hours would be lonely no more, especially if noise held any virtue against that insidious affliction. Jim had struck a streak of hitherto unknown prosperity; his wagon was one of the most familiar sights in the streets of Victory, carrying freight from the depot, sand from the river, lumber to the sites of new houses.

On her first evening in Victory, Mrs. Timberlake brought the children to Marion's back door to get acquainted. Although she had known Jim in Kansas, Marion never had come face to face with his brood before. Mrs. Timberlake pointed them out by name where they stood off in a circle looking Marion over, eyes big, pigtails of hair dangling, showing a suspecting and distrustful disposition, all but Lucy Lee, the eldest of the girls. She was a heifer-looking chunk of a girl, showing some attempts at neatness which were not altogether ineffectual, and a good deal of raw prettiness of a large, Swedish order. She sat in the door beside Marion, a red ribbon in her flaxen hair, while Mrs. Timberlake and the others settled themselves in an Indian ring in front.

William Riley soon grew tired of this profitless inactivity and went off to his trucking with the battered

dishpan. Mrs. Timberlake filled her pipe, chuckling as she laughed.

"I couldn't warsh up the deeshes this evenin' count of William Riley playin' with the pan; he jist *wouldn't* give hit up," she said. "But I reckon they'll keep till mornin'," she reflected, with a comfortable sigh.

"He's playin' horse; he plays it all the time," Lucy Lee explained.

"I ain't neither," William Riley denied boldly, coming up and straddling out his brown, scratched, dirty legs in manly attitude. "I'm playin' wagon. I'm pappy; I'm haulin' sand."

"Bless hits little heart!" said Mrs. Timberlake, a comical expression of tenderness around the stem of her pipe.

"I'm goin' to be a waitress in the railroad eatin'-house," Lucy Lee announced, "startin' in the morning. I'll make four dollars a week."

"That's fine!" Marion encouraged.

Lucy Lee was studying Marion closely, ingenuous boldness in her big blue eyes. She was devouring every detail of dress, adornment, arrangement of hair, with a slow, comfortable manner of feeding her curiosity that was not exactly pleasant.

"I don't know about that job; I've got my doubts about lettin' her go." Mrs. Timberlake gave her head a serious twist, taking her cane-stemmed clay pipe from her mouth to tap down the fire with her hard-ended finger. "They tell me folks that eats there gives them girls money, a dime and a quarter at a time. I've got my doubts about whe'er hit's decent or not."

"Custom makes it proper enough; they do it everywhere," Marion told her.

"Well, if you think hit's decent, I'll let her go." Mrs.

Timberlake appeared greatly relieved to be rid of this doubt. She smoked placidly along, her eyes closed in enjoyment.

"My! I think you've got the purtiest hair!" said Lucy Lee, touching the ripple that ran on Marion's temple with her exploring finger ends.

"It's nothing like as nice as your own," Marion laughed. "It looks like a bucket of lye by the side of yours, so light and fluffy."

"She was born'd in Mezoury, and I tell her hit's the color of them little sand bars in the Mezoury River they call towheads," her mother said.

Lucy Lee was warm in a pleasurable blush over this praise of a thing she had counted a handicap in the competition she was about to enter, rather than an adornment that might entangle the heart of a man.

"We knew a girl up in Dodge City—you remember, Maw, Maggie Ryan—that waited in the railroad eatin'-house and married a conductor," said Lucy Lee, doubtless uncovering a corner of certain hopes and ambitions of her own.

"Laws, but that don't set no fashion for you, child. I'm not lookin' up to no conductor for you, Lucy Lee. I'd be better satisfied if you was to git a good, stiddy section boss."

"Huh! section boss!" disdained Lucy Lee, tossing her fluffy hair.

"Yes, or maybe a young farmer with a lot of stock, and a buggy with a leather-backed seat." Mrs. Timberlake nodded seriously, and twisted her head, to prove that she was in earnest on the question of the farmer.

They seemed to have forgotten Marion in their discussion of Lucy Lee's future. Mrs. Timberlake sat with her sharp

chin in her hand, leaning forward, her back as stiff, and apparently as hard, as a board.

"I don't want no farmer around me," Lucy Lee declared.

"You always have a roof to your head and a side of meat to grease your belly, as the sayin' is, if you've got a man with a farm. I've always wanted your pappy to git settled on land, but seems like we never could. We went to Texas and missed it, and all around ever'-which-ways and missed it, and now he come to Oklahomey and missed it ag'in. Well, I reckon hit'll all come out right in the warshin'."

Mrs. Timberlake sighed. Marion nodded, having no words for the somewhat barren occasion. That was sufficient for Mrs. Timberlake; she could talk for an hour on a friendly, encouraging nod. Jim was riveting a harness tug, using the wagon tire for his anvil.

"In Texas we had some hard times," Mrs. Timberlake continued, "scratchin' around tryin' to raise cotton on shares. That's a hard country for a renter—hit's hard for a renter anywheres, but harder in Texas, I reckon. 'Peared like we never raised our share of a crop, nobody's but the man's that we rented from. We was so pore down there one year your pappy didn't have no fiddle strings, and Jim Coogler and you had to go barefooted all one winter—you remember, Lucy Lee?"

Lucy Lee signified by a short nod that she did remember, although the past hardships appeared to have left no melancholy impression on either her fat figure or lean mind.

"That shows you never to marry a renter, though I ain't sayin' no word ag'in your pappy. He's a man in a million, and I wouldn't——"

What she would not do, or have, or desire, never came

to the ears of men in spoken words, for just as they waited in the door of her mouth William Riley tangled his legs in the string on the dishpan and came down with an alarming howl. He freed himself with a few vigorous kicks and came running to his mother, his mouth stretched wide, but no sound issuing from it, for William Riley, in the ruse which certain offspring adopt to magnify their injuries in the eyes of overly tender parents, was holding his breath.

On he came, his face purple, his big trap wide as the end of a wagon. Mrs. Timberlake appeared to be interested, but unmoved. She sat still, calmly smoking her pipe. She doubtless would have gone ahead with her argument to Lucy Lee in favor of a roof and a piece of bacon, if hearing had not been out of the question. Now William Riley reached her, flinging himself against her bosom as if he had raced to that refuge to spend his last sigh. Then his big howl found its way out again, and Mrs. Timberlake snuggled his bushy head close to her and soothed him with a caress.

"Did hit bust hits little nose?" she said, the deepest sympathy in her voice. Then she looked up at Marion and winked expressively, with a lifting of the corner of her flexible mouth toward the corner of her closed eye, as if to say they couldn't come any tricks over her, and that she knew very well a broken bone never vented its agony in a bawl like that.

Jim came from his cobbling to take William Riley on his knee and complete the cure of his nose, which presented an abrasion through the coating of dirt. A somewhat more general scratching, thought Marion, would help his appearance, even though his comfort might suffer during the process.

"Pappy's little man, pappy's little man!" Jim soothed him; "pappy, he'll nuss his little man, so he will."

It was at that moment that Ed Courtney, the man of high attainments, companion of Charley Akers' hour of relaxation from upbearing the burdens of the world the night before, made his appearance. By daylight Ed showed himself to be a portly little man, suggestive of a keg, with puffy face, and small eyes which swam in a rheum and seemed on the point of overflowing, but did not; and a short, boyish coat which reached a little below the waistband of his trousers; and a tight, straining little vest, which seemed on the point of bursting, but contained itself with a struggle. There was paint on his trousers and the sleeves of his coat, a scent of paint in the air around him. He took off his derby hat, which was large in proportion to his coat, but not too large for his rather uncommon head.

"Good evening," he said, looking about him with a questioning but comprehensive eye.

Jim returned the salutation for all. William Riley raised his barked nose from his father's shoulder to stare with his sisters, in that unmasked curiosity of mover children.

"I want my ladders and paints moved from over there to another job," said Courtney, indicating the undertaker's Funeral Home with a sweep of his short arm.

"All right; I'll be over there early in the mornin'." Jim was alert and cheerful about it; his merry eyes seemed to dance as if the painter had come to him with an offer of an independent competence for the remainder of his days.

"I don't want it done in the morning; I want it done now, right away."

William Riley pressed his nose against his father's suspender and began to blubber and sob. Jim stroked his

back with his work-drawn hand, and hummed a little tune to comfort him.

"I kain't do it tonight," said Jim with a touch of sorrowful regret; "I've got to stay here and nuss Budsey. But I'll pop to it the first thing in the mornin'," he added, in large and hopeful promise.

Marion heard him refuse this offer of employment on such trivial excuse with amazement. It cleared up the fog of Timberlake's history like a west wind. She could understand and forgive Oklahoma, for many a better man had come too late there, but all of the other trials and failures had their illumination in that flat refusal of a job on the most foolish pretext that a sane man ever advanced.

"If you can't do it now I don't want you at all," the painter said. "I offered you the job because I thought you needed the money and would jump at the chance to make an easy dollar."

"I don't need the money any more than some other folks in this town," said Jim, bristling up resentfully at this implication of poverty.

Mrs. Timberlake said neither yea nor nay. She sat smoking her pipe, as placid as a barrel of rain-water. Courtney turned away with a grunt of disgust.

"You was paintin' that sign over there, was you?" nodded Jim.

"Yes; my stuff's there by the side of the building. You can have the job yet if you've got ambition enough to hitch up your team."

"It's *Noss* on the front and *Hoss* on the side," said Jim.

"It's *Noss* on the side, too," said Courtney, fixing him with severe eye. "That letter's an *N*, not an *H*. Don't you know the alphabet?"

"I know 'em better'n you can paint 'em!" Jim declared, moved to acrimonious retort by the recollection of Courtney's criticism of the night before, perhaps.

"You're a barbarian," said Courtney, turning away with superior dignity.

"Yes, and you're a tub o' gizzards!" Jim fiercely replied.

Mrs. Timberlake sat in her place, smoking with her usual form, not a puff too many for the size of her pipe, not a puff too few. Marion, doubtful as to the outcome of this sudden controversy, got up and stood in the door, ready to dodge in the event of ammunition beginning to rain out of the threatening atmosphere. Courtney had singled her from the Timberlake family at the first glance. He now took off his hat and gave her a special, dumpy little bow.

"This man is an incorrigible savage, miss, a coarse-grained boor, and that's all you can make out of him," he said.

"Yes, and I could paint a better sign'n that with a shovel," Jim declared, rubbing his beard on William Riley's head. The girls were eyeing Courtney with expressions which were equivalent to growls, like cubs resenting the intrusion of some strange beast.

"Your situation protects you," Courtney said, roving his eyes around the family.

"I'll 'tend to you the first time I meet you in the road," Jim promised. "Now you prance along out of here, you little old tub o' gizzards!"

"I blush for the swine," said Courtney, making his salutation again to Marion as he marched off around the corner of the house.

CHAPTER XIII

AN EDITORIAL HINT

"**G** UZZLIN' and sloppin' beer over there all the time, mayor and all of 'em," said Jim, shaking his head solemnly in discount of such incessant carousal. "Nothin' good kain't come out of them kind of doin's, fun or no fun."

"No," said Marion, looking away thoughtfully.

Timberlake had carted a shipment of print paper to the *Bulletin* office from the railroad station. He had stopped at Marion's desk, after an ineffectual search through the plant for O'Brien to get his O. K. on the bill for the service.

"Mayor Pomeroy sets in there holdin' and nuzzlin' that sooner gal's hand forenoons, then O'Brien goes on for his shift. It's enough to make a man's gizzard curl up," Jim declared, with expression of distrust.

"Holding her hand?" said Marion, in accent of discredit. "Oh, surely the mayor wouldn't be so silly as that."

"Yes, he does, and so does O'Brien. I've seen him bowin' and scrapin' over that gal's paw, a grinnin' like a Chessie cat."

"You mustn't think anything of that, Mr. Timberlake," she laughed; "that's just his old-fashioned way of being polite to a lady."

"Maybe so," Jim granted, making a little start on his hissing whistle, "but I wouldn't want to see no man mussin' over a gal of mine that way. Soft, it looks to me."

"Mushy," said Marion, very much diverted by Jim's virtuous outburst.

"Yes, and that little Lopy feller he don't like it, not a nickel's wuth. The way he hangs around and listens, and slips up when nobody don't know he's there, makes your hair crawl. He's sweet on Reno; he's so plumb gone in love with her you could melt him down to 'lasses."

"I suppose he's good enough for her," said Marion, caring little about the sharp-eyed Mexican's amours, and less about the object of them.

"Lordy, I don't know!" said Jim airily. "There! that's Colonel O'Brien thumpin' that 'sarned old pie-anno and squawkin' like he's lost his cud. Well, I ain't goin' to run off over there after him and bust in on none of their hand-holdin' parties; I can wait for my money till tomorrow."

Jim was not mistaken in his identification of O'Brien's voice at the piano. Only a few feet separated the buildings, and the windows of the Sooner Girl clubrooms were open. It was a sound which came from that quarter frequently; one which Marion never heard without a feeling of humiliation for the man who could warp his native nobility and degrade his fine sensibilities to fit himself in such company as that.

"No accountin' for a man's tastes," said Jim, "but if I had choice of company —" The rest of it he told Marion with his merry eyes as he turned and gave her a stiff-hinged bow.

She was accustomed to Jim's gallantries; they no longer moved her. Now she sat looking after him without seeming to see whether he came or went, as he stamped out on his noisy boot heels, the lash of his long whip trailing behind him. She was handsome enough, indeed, to hold an ordinary, usual editor in his office, sitting there in her short-

sleeved white waist, a disordered pile of mussy proofs on one hand, a spindle of rigorously edited copy on the other. Her strong, unadorned hands were clasped listlessly on the desk, her chin was lifted, the gentle, soft profile of her face and neck clear in the light of the window at her side.

The ballad that O'Brien was singing came to a sudden stop. A discord, an abrupt cessation of the accompaniment, told that his hands had fallen without the guidance of his eyes. There followed a woman's laughter, loud, unrestrained, O'Brien's voice sounding in undertone as if he rebuked some prank in his mock-serious way.

Marion shook her head sadly, accounting for the break in the music as she pictured that trifling interlude. She could see the tall figure of Reno as she came in her silent way through the door, and the gleam of her loosely piled bright hair; she could see the long white hands raised stealthily as she tiptoed softly behind him where he sat, his head thrown back, his soul in his foolish little song, and the quick rush of her at the last, the clasping of her fingers over his eyes. Perhaps she had smothered the words on his lips with her wanton kiss. Marion rose quickly, a frown like a shadow in her clear, wholesome brown eyes, and pulled down the window beside O'Brien's desk.

Justin Burris came in a few minutes later, according to his afternoon habit. Since Captain Scott's removal to his homestead the lawyer had assumed a guardianship of Marion, something in the manner of an elder brother. He came bearing little gifts of delicacies nearly always, of candies and fruits, which he left on her desk like offerings on an altar, without word or sign. His manner of presenting these gifts was that in which self was entirely eliminated. Marion felt that he could have given a potato to a princess without offense.

Often Marion returned from news-gathering expeditions to find these homely gifts on her desk, and always with a quick little surge of tender feeling for the great, strong hand that had borne them thither. O'Brien made a bantering jest of these light attentions on the part of the ponderous lawyer, whom he called Endymion—but certainly not before his face.

This time there were oranges in the bag which Burris put down near the edge of her desk with the detached, unthinking manner of a man laying aside some trifle which he meant to carry away with him again presently. It was a hot day, the afternoon sun seeming to center on the thin wall of the building. In the partitioned portion where Marion was at work, there was a smell of pitch being tried out of the knots in the planks. Burris sat in O'Brien's chair, near the window, upon which he turned his eyes in a question that he was too polite to ask.

"I closed it because I could stand the heat better than the noise," Marion explained, reading his eyes. "Will you please open it? Maybe they've quieted down."

Burris raised the sash a little way, listening at the chink for the sound of roystering. The clanking piano was quiet, no sound of voices came across from the Sooner Girl clubrooms. He opened the window entirely, letting in a stream of hot wind. His face was troubled as he resumed his chair.

"I'm afraid there are sounds unfit for a lady's ear issuing from that place too often," he said. "That air will come cooler in a minute, Miss Marion; it was packed between the houses." He said this with hasty assurance, as if he wished to cover his former remark, which seemed to have been uttered in the way of one thinking aloud.

"It isn't just what one hears, Mr. Burris, but what one

knows must be going on over there, that makes the place disgraceful," she said. "That sooner woman sells liquor openly — she's getting so bold and careless about it that our old Charley gets it there now. Can't something be done to make her stop it?"

"It rests entirely with the United States marshal, Miss Marion; there's no city ordinance prohibiting the sale of liquor."

"Of course, if it rests with either the mayor or the marshal to shut her traffic off it never will be done. They're over there half the time."

"Our hope of curing the present abuses here lies in our being able to have a straight and square man appointed as United States marshal, Miss Marion."

"I wish I could get something in the paper about your fight on Kirk," she said, gloomily; "but you know how it is, Mr. Burris. I've written twenty stories about it, and they all go there." She indicated the wire wastebasket beside O'Brien's desk.

"I know, Miss Marion," said Burris, gently, as one comforts a younger person, a much younger person, indeed.

"How is the movement shaping up?"

"Fine. I'm keeping the wires hot between here and Washington. Thank heaven, I've got at least one dependable friend in a high place. I mailed a petition to the senator today — the senior senator from Missouri, you know I mean, Miss Marion." She nodded, her grave eyes on the apparently hopeless litter of copy and proofs before her. "We got six thousand homesteaders and citizens' signatures to it in five days. It ought to wake them up to the need of a congressional committee to investigate our clamor for territorial organization. If it does, the fight's won."

"Kirk's as uneasy as a hen on a hot griddle already over his job," she said, snipping aimlessly the end of a proof with her shears. "If you can put him out, Mr. Burris, there won't be anything in Oklahoma too good for you."

Burris' homely face colored at this compliment, spoken in such warmth of sincerity that there was no doubting the high honor she would bestow as his reward if the gift lay in her hand.

"They'll demand your appointment as territorial governor," she said, uncovering what was in her generous mind.

Burris made that speaking gesture of renunciation of all claim to merit, which his great hands expressed so eloquently, his glimmering smile coming like a lamp at a window into his eyes.

"I'm afraid I'll never wet my lips in the fountain where the great of this earth drink," he said. If there was a tinge of sadness in his tone, the bright illumination of his slow smile counterbalanced it. No man could have charged envy to him, or ambition that had leaped and fallen, leaving his heart sour.

"How soon do you expect to get action on your petition to Congress?"

"It may be weeks, even months, Miss Marion. But I have hope the senator will push it; he's a man for an emergency. The question is to get the proper committee interested in our rule of robbery down here."

"Yes, I guess that's the big job," she sighed. "How are the dogs?"

Burris' face clouded at the question. "Herman strayed off last night; he hasn't come back," he said.

"Oh, poor old Herman! He was such a dear. Somebody must have stolen him."

"More than likely; it's a collie's nature to be friendly."

"What will you do with Quincy and Watkins when you go to the hotel to live?"

"Give them away, I suppose."

"Well, it will be better for you, even without the dogs," she said, with a domestic interest in his mode of life.

"I might arrange to keep them," he said hopefully;

"I'm a landed proprietor now, Miss Marion."

"Have you bought a lot?"

"From a man who couldn't see any future in it," he nodded. "Maybe he was right. I'm going to build a little office on it tomorrow. I might arrange—" a little apologetically, head bent as if ashamed—"a place for dogs there."

A smile played like sunlight on Marion's lips as he spoke, hesitatingly, lamely, like a great lad seeking permission, pleading excuse, to keep some pet against which sentence of banishment had been pronounced.

"I expect Herman to come back, anyway," said he, with new courage, meeting her merry, though sympathetic eyes.

"If he doesn't, he'll be the most ungrateful dog that ever lived!" she said. "Keep them, every one of them; make a place in your office for them, or build them a kennel on the back."

"Why, I could do that," said Burris, brightening up wonderfully, "I could do it as well as not. I might even fix it so they could get under the floor."

Marion shook her head, gravely struggling to keep down an outright laugh.

"I don't believe I'd put them under the floor. They might bump around and disturb your clients, or get to fighting under there at a critical moment and scare somebody out of his notion of giving you a fee."

Burris took the advice seriously, a quizzical look in his solemn eyes as he raised them to her happy face a moment. But the light there seemed too strong for them, accustomed so long to gazing on the somber aspects of the world. He withdrew them, falling into his thoughtful study of the floor again.

"Yes, that might be so, Miss Marion. I'll get a large drygoods case and put it behind the house. If Herman never comes home, that will be big enough for the other two."

Burris rose to leave. He was a busy man in those days; Marion understood very well that he was shutting money out from his door every time he tied the flap of his tent office to come and visit her in this ceremonial fashion.

"Colonel O'Brien is out on the skirmish for business?" said he, stretching his hand toward the empty desk.

"Far from it, Mr. Burris. He's chasing the firefly of pleasure this hot afternoon, close as it is for a race."

If Burris had any doubt of the direction that O'Brien's chase had borne, the editor's voice rose in song at that moment to set him right. The lawyer moved toward the window.

"Shall I put it down, Miss Marion?"

"No. I guess I can stand it for a while. If it gets any worse——"

Burris smiled. "He's a man that likes his fun," he said.

"It wouldn't be so bad if he didn't neglect the chance of his life to have it."

"He's one of the kind that has a certain amount of froth in him, Miss Marion, that has to be worked off in foolishness. He's not like you and me."

"You're right about that, Mr. Burris."

"If he doesn't know enough to make the most of his

opportunity, let him go. He's had his day of adversity; it should have made him wise. But I think maybe——"

"You think?" lifting her cool, clear eyes to his sun-bronzed face.

"He's a little deeper than some of us credit him for right now. A little deeper, and a little more cunning, Miss Marion."

She searched his face as if to read what he had not expressed, Burris standing with one great hand on the back of O'Brien's chair, which he seemed to regard with speculative eye. But whatever lay in his mind or knowledge concerning the depth and astuteness of the editor was locked behind so much iron of will that mortal eyes could not possess themselves of it. She sighed, giving it over.

"Yes, it may turn out that way," she allowed.

"So I'll be trotting on," said he, giving her his hand in his ceremonial, old-fashioned way, as he did always on meeting and parting, as he would have done, she believed, if he had met her four times a day. This time he held her hand a little while, his face serious, as if turning in his thoughts something to say. Whether from lack of courage or doubt of the fitness of the time, he did not voice it, but let her hand go from his clasp—where it had remained quite placidly—and set his foot toward the door.

Marion smiled, softly, tenderly, as she sat down to resume her work. There was an upspringing of joyous humor in her heart, indeed, that almost provoked laughter. Here was a man with bones like a mastodon whose hand trembled when it touched her; she had felt the tremor of it like a thrill of conscious power. Yet his heart was so tender that he could not deny the appeal of a hungry, forlorn, bewildered lost dog.

O'Brien came in presently, cigarette on his long lip dangling and flipping as he talked. His face was flushed, his irresponsible eyes were bright from the tippling-board of the Sooner Girl Café.

"Endymion has been here. I scent the gift of Pomona that he has come bearing from his cave."

"You must have brushed him in the door; he's just gone," she said.

"Is everything proceeding with the usual loveliness?"

"There was a little fire over on Railroad Avenue—I sent Masterson over. Didn't amount to anything, he telephoned in. He's at the depot, watching for the arrival of not-ables."

"You're my right hand and my right eye," said O'Brien, with a comically serious expression on his narrow, mobile face. "I'm on my way to the depot, also, to meet our illustrious townsman, Bass Kirk. If anybody wants me, you can get me there."

O'Brien folded a fresh copy of that afternoon's issue of the *Bulletin*, a copy of which he always carried in his hand when on the street, and went to meet his more or less worthy friend. Marion thought he could have employed the time to a better advantage in the office, clearing up the business waiting on his desk. But that would wait until night, when O'Brien would work late over it, according to his habit, in that manner squaring with his conscience the remissions of the day.

Kirk had been in Texas, she knew, conferring with his political friends in an endeavor to save his official head, which was seriously threatened by the uproar of the settlers. Kirk was opposed, also, to the movement which Justin Burris was pushing to bring a congressional committee to Oklahoma for the purpose of investigating the new coun-

try's claim that it was ready for territorial organization.

Kirk had been using the *Bulletin* to discourage this movement, which would take the reins of government from his hands, and O'Brien had been lending himself to it with a readiness that astonished Marion. She could not understand why the editor wanted the country to remain in the obscurity of night and confusion when daylight would double his own prosperity.

Marshal Kirk came to the office with O'Brien, both of them steaming alcoholic vapors, for the purpose of reading and approving something the editor had been holding for his eye. He came stamping in with his boots to his knees, lean, tall, black-haired, saturnine, bilious, sparing of words. He hadn't even a greeting for Marion, who did not court it, indeed, for she disliked the man with an aversion that made her shudder, and distrusted him in the smallest business that came his way. He was wearing his big black sombrero, weather-chafed, old, and was dressed roughly, no necktie to his white collar. His dark face was fretful and impetuous, hairless as an Indian's, his long upper lip sullenly pouting as if he had received a blow on the mouth.

Kirk fixed his gloomy eyes on the proof which O'Brien put into his hand, his hat on his head as firmly as if it had been nailed there by the merchant who sold it to him. Marion never had seen him without that forbidding head-piece casting its shadow over his dark face. He was a long time about the reading. When he gave the proof back to O'Brien he made no sign of approval or criticism.

"How is it?" O'Brien asked.

"I guess it's all right," Kirk replied, nothing definite of assent or disapproval in his expression.

O'Brien accompanied him to the door as he might have

attended a governor, or at least a man of honor with whom it was a distinction to be seen. They stood in the street talking a little while. Marion knew the marshal was letting more out of his close mouth than he had felt free to utter in her presence. She shuddered as she looked through the open doors at the cold, scowling man. He had a notoriety as a killer of his kind, but Marion was able only to imagine him stealing upon them as they rode in the dark and shooting them from behind.

"Well, how's the right arm?" O'Brien inquired when he returned to his desk. Then, before she could have replied, even if she had intended to do so: "Anybody in to see me this afternoon?"

"There's been nobody in but Mr. Burris."

O'Brien looked up at her in his slanting, curious, humorously suspicious way.

"Only Endymion," said he, still looking at her. "Did he want anything in particular?"

"He didn't say," she returned, flushing under his challenging eyes.

For a little while O'Brien wrote, his head down close to his paper, his ridiculous mouth stretching with his growing line. But continued effort, in these days of plenty, seemed beyond him. He lifted his long locks from his task when three pages were finished and turned face down one upon the other.

"How is Captain Scott getting along on his claim?" he inquired, with friendly interest.

"Very well. The rain has brightened the prospects of everybody over there, as it has everywhere else in Oklahoma, I suppose. He believes he'll make a pretty fair crop, late as he got it in."

O'Brien drummed the desk with his long, bony fingers,

head thrown back, brows gathered in what seemed troubled thought.

"That league of his has made considerable stir all over Oklahoma," he said. "Captain Scott's name is the biggest name in this country today, and better known outside than any other in Oklahoma. The eastern papers are full of the way the league took the situation in hand and straightened things out for the homesteaders with such remarkable speed."

"Are they?" Her eyes brightened at the news. "I didn't know there were any correspondents down here now."

"No, the stories go from Kansas City. Kirk had a bundle of New York and Washington papers with him, all playing Captain Scott and the league up to a fare-you-well."

"He wasn't looking for glory in it," she said, glad beyond measure to hear that credit was being given in the proper quarter at last.

"Of course not; he's too modest for that. From what I know of Captain Scott, I'd say that publicity would be embarrassing to him."

"Yes, he's been too retiring all his life for his own good."

"Oh, I don't know about that, Miss Marion; I doubt whether any public man can be too modest. The great thing with all of us is to know when to stop—applause turns our heads, you know. It's the opinion of men competent to judge and speak that this league movement has gone about as far as it can go, and be safe for all involved."

"What are you driving at, Mr. O'Brien?" Marion lifted her head in the sharp, incisive way that was an inherited trait.

"They're feeling their oats; they're getting drunk on power," he said. "Not Captain Scott, but the irresponsibles under him; they are the men in whom danger lies. I'm afraid it's going to wind up one of these days in outlawry, night riding, and murder. As your father's friend, as your friend, Miss Marion, I'm afraid this thing he raised up out of the roadside clay may turn and mangle him in its own machinery."

"I don't see how that can happen," she said, amazed to hear this long and dismal review.

"My advice to you, Miss Marion, would be to press him seriously and solemnly to get out of the league, disclaim any and all connection with it as soon as he can. Tell him men who know advise him to drop it, take the force of his name away from it and let it collapse and die. The work it was organized for is done; there isn't any need for it here in this civilized, government-supervised country anymore. If I were you, I'd get this word to him today, carry it to him personally; I'd do this if I were you, and I'd press him, with my own argument, to follow the advice. Don't ask me to go any deeper into reasons; I can't give them. But events are shaping, Miss Marion, shaping fast."

His words struck her with a feeling of cold threat, friendly and apparently innocent of duplicity as they were. It was more than disinterested advice; it was a warning. In the light of the company that O'Brien had been keeping so lately, she felt that it was, indeed, a threat. The hand of Marshal Kirk was dark against this shrouded thing that O'Brien had lifted so suddenly to alarm her. Something was hatching; there was a reason for wanting Captain Scott out of the Home Defenders' League.

Although there was a riot of anxiety in her breast, she contained herself, respecting his request not to press him

for further explanation. It was then well along toward evening. She hastily arranged her desk, put on her hat, crossed over to O'Brien, who had resumed his writing, with a piece of copy for his attention. Her face was white, her eyes were full of pleading fear. Yet she was altogether lovely, her russet hair sweeping over her brow.

O'Brien arose, after his punctilious fashion, to bow her out of the office. When he took the papers which she presented, he clasped her hand and retained it after he had relieved it of what it bore. The color came to her face in a sweep of resentment against this familiarity, and when he bent over her hand, pressing it to his lips, she drew it sharply away, shocked by contact of lips which so lately had pressed those of the wanton across the way. Unmoved by this expression of repulsion, O'Brien accompanied her to the street door, where he stood looking after her.

Her broad white hat drooped over her proudly carried head in a most charming pose of protection. She was tall, slender, quick-footed, young; her light full skirt left her long limbs free to measure swift steps; its hem was girlishly high; her ankles twinkled under it as she hurried away. O'Brien shook his head, sighed, turned about and shook his head again.

Captain Scott's claim was little more than two miles from the outskirts of Victory, a pleasant walk with the sun low over the greening fields. Marion hastened home to change her shoes for the journey. In less than half an hour she passed the *Bulletin* building and the Sooner Girl Café on her way to carry the veiled threat and open warning to her father, and learn what he might make of both.

As she passed the café she heard through the open

windows the piano again, and O'Brien's strong, melodious voice lift in the chorus of an Irish love song.

She could feel only ashamed for him, for his easy-going, careless way, when there was so much serious work clamoring at his hand. Instead of being in his office, guarding and building the splendid business that had sprung up under his first few weeks of close application and undeniable ability, he was wasting his golden opportunity with that yellow-haired woman, a spendthrift of his life's most precious hour.

Yet, there was something in him, shallow-lying, responsive, that might be moved to noble achievement, she believed, glad to find a reason on which to base a mitigation and excuse. He was accepting these things which offered in Victory because he had been hungry and denied in a hard world of unequal opportunity. They came easy to his hand here, they were only worthless little pleasures which surely never could sink as deep as his heart. But she could not help thinking it would have been better for his own manhood if there had been thistles in his road in that place of his new beginning.

O'Brien was not a grafter like Pomeroy and many of the men around him, she excused him again to herself, as she had excused him to her father. He had given service to the city for what it paid him to print its endless ordinances, notices, proclamations. Only Pomeroy and Kirk and that gang appeared to have bound him in some sort of an easy-bearing web which he did not seem strong enough, or perhaps willing enough, to break through and stand free and untainted. Some day they would order him to do some disgraceful thing, which he would then be too deeply compromised to refuse.

Was this the beginning, this delegated word that she

was bearing to her father? Was there not something that O'Brien must do, as the servant of these men whose shadow lay like a pestilence over the land, in case the warning should bear no fruit?

What could it be, how could it be? Perhaps the *Bulletin* would be compelled to print untrue and vicious things about the league, and the head of it, as it had been compelled already, on pain of losing the favor of the great, to scandalize and libel other men and institutions in its brief career. She thought of this, seeing O'Brien's interest in having her father warned in a new light.

CHAPTER XIV

MRS. PRATER ADDS A WORD

MRS. PRATER had built a house since Marion's last visit to the ranch. It was such a tiny structure that the front door looked great out of all proportion, and when Mrs. Prater opened it to Marion's summons it seemed as if all the front of the house but the door frame had disappeared.

"There wasn't anybody at home," Marion explained, "so I came down to wait."

"You're welcome, honey," Mrs. Prater assured her with friendly warmth. "It wouldn't be very nice for you settin' up there alone, and it comin' on dark."

"Do you know where father is?"

"I seen him ride past about the middle of the afternoon, goin' off towards the blacksmith-shop. I reckon he was goin' to git some shoein' done. Look — ain't them a purty mess o' greens?"

Marion smiled at the simple feeling of satisfaction in Mrs. Prater's words, agreeing that the greens were very tempting.

"The rain fetched 'em up, they're plentiful down the crick bottom a ways, but they're gittin' a little tough. I've been puttin' off to go after 'em for a week — a body's got a longin' and hungerin' for greens that a-way this time of the year, 'specially when garden stuff's late and there ain't much else to be got."

Marion agreed that it was a common human longing in

springtime, felicitating Mrs. Prater on having secured the provender for gratifying her appetite.

"How is father getting along? I haven't seen him for nearly two weeks."

"He looks as hearty as a bridegroom," Mrs. Prater declared. "I don't know how he keeps up, workin' days and up to all hours at night writin' letters and talkin' to them leaguers that comes to him for advice."

"They don't have any more trouble with jumpers, do they?"

"Not right around here, honey; they've got 'em scairt out in this neighborhood, I can tell you! This country owes more to Captain Scott than it'll ever be able to pay, no matter if they do make him governor after a while."

"I guess there's no danger of that," Marion sighed, the recollection of her father's disappointment rising like an accusation of treason against Oklahoma.

"I heard how he lost his claim and his lot over in town," nodded Mrs. Prater, pressing her greens down in the pot. "Folks around here told me about them doin's — bless your heart, your paw he never says a word ag'in nobody. But he'll git what's comin' to him out of this country yit, honey — if he don't go and trust other folks too fur."

"How do you mean?" Marion looked up with a start, the remark seeming to have such a peculiar bearing on what John O'Brien had said that afternoon.

"Laws me! it's nearly plumb dark a'ready." Mrs. Prater looked around in astonished dismay, like one who has been overwhelmed by some disaster which his own unpreparedness has brought down upon his head. She stirred about, still talking in random ejaculations, into the house after a match, out to her wagon for the lantern, back again to hang the light within the door. She hung a sack over the

little window, disposing Marion out of its direct range, outside.

"We'll set out here in the cool," she said. "Anyways, I don't trust them jumpers your paw drove off from here, 'specially that hog-eyed man with a nick in his upper lip. I've had doin's with them kind of folks before, honey; sometimes they up and shoot through a body's winder."

"You don't need a light on my account, Mrs. Prater. If you can get along without it, put it out."

"Sakes, I can tell when greens is done by the smell," said Mrs. Prater, the lightness of relief in her voice. She blew out the lantern and placed her chair near Marion's. "Now, we can feel easy, as the old woman said when she buried her seventh husband."

"What did you mean about trusting others too far, Mrs. Prater?"

"Stars and garters! lis'en to them greens b'ilin' over." Mrs. Prater got up as she spoke, with a show of bustling impatience with the unreasonable pot. She clanked about the stove a while, then went to the corner of the little house, peering around it cautiously. She was so near Marion the girl could hear her breathe, and dusk had not yet settled into night.

"Sit down and rest, Mrs. Prater; we can hear anybody that comes—I'm not afraid."

"I know you ain't, honey; you're like your paw. He never even 'pears to think, just sets there with that light showin' him as plain as daylight and them skulkers ridin' these roads no tellin' when."

"Is he in danger? Is there something wrong with the league?"

Marion pressed her questions bluntly, restraining Mrs. Prater by laying a hand on her arm when she would have

jumped up and rushed off again on an evasive expedition to the stove.

"Bless your heart, honey, I was just a talkin'. You take a rattle-headed old woman like me and she's liable to say most anything."

While Marion respected Mrs. Prater's caution, and understood her reason for it, she was in no mind to excuse her from further questigning. It was plain the old lady was struggling to conceal an uneasiness that was bigger than herself.

"Have you heard anything about members of the league going too far, Mrs. Prater?"

"I don't know nothin', honey — not just to say nothin'— only I can feel it in the wind." Mrs. Prater's voice was low; she looked about in the falling darkness with cautious eyes.

"Tell me," Marion pleaded, her hand again on the old lady's arm.

"I've lived in a country were they had this kind of doin's before, honey, and somehow it's got in my old bones to feel trouble when it's hatchin' in the night and the devil's nest. I don't know that Captain Scott's in a thousand miles of danger, but I sense it in the night; it calls me up in the dark and I set there and choke on my scairt feelin's, nearly. I can't tell you how it is any plainer than that, honey; it just comes over me."

"I wish you'd be plain, Mrs. Prater, and tell me what you mean. I've had a hint from somebody else—a kind of a warning, maybe a threat—I don't know. I came over to see father about it. You ought to tell me; it's too serious a thing to keep still about if you know anything at all."

"I don't know nothin' for sure, child. But let me tell

you, honey, them Ku Klux and Bald Knobbers and night riders and hossthief leagues, they're like a bitin' dog when they git out from under their marster's hands. As long as a good man heads 'em and can keep 'em that foller him in their places and makes 'em do what they're banded together *to do*, accordin' to law and honor, then they're a good thing. But you let 'em git loose once and they're hell-fire and turkentime!"

"Have some bad men got into the Home Defenders' League?" Marion asked, a smothered feeling in her throat. She reached out her hand in appeal, and Mrs. Prater took it and stroked it, holding it tenderly between her toil-rough palms.

"They're not all good men anywheres—in churches, in Masons, or Odd Fellows, or any of them lodges." There was inexpressible sadness in Mrs. Prater's voice, infinite tenderness in her caress. "When they started the league, honey, there was only eight of them, as honorable men, I reckon, as you could find if you was to bolt down the grindin's of the whole world. From that it's spread till there must a hundred times that many now."

"But they haven't done anything wrong, have they?"

"I don't say they have—yit. But I can see signs, and I can *feel* signs, that the fire's spreadin' out of the hands that set it, and it's liable to blow out to the dry grass with the first puff of wind. When they got through drivin' them jumpers out of here, that was the time for your paw to break up the league and let things rest. I reckon he aimed to, but it growed so fast and spread so quick maybe he couldn't."

"As long as they don't do anything wrong"—Marion brightened hopefully—"the league's a good thing—as long as they keep within the law."

"The best thing that could happen for us pore folks in Oklahomey, honey. The trouble is when so many men git into a thing, some of the bad ones is goin' to ride off and do somethin' that ain't right some night. They'll go out to settle some spite or grudge or fuss of their own that don't come in the work of the league at all, or to take somethin' they want from some feller, or bust up somethin' to even up on somebody.

"I'll tell you somethin' I know about this kind of a thing. It happened down in Arkansaw where I come from. Down in my country they used to have a band of men they called Bald Knobbers. They started out at first to make folks toe the mark and live accordin' to the law in places where the law wasn't very strong, 'count of havin' so fur to reach—just like it is in here, honey, just the same. That was a healthy thing for that country back in the hills where a sheriff never went once in twenty years, I reckon; it stopped murders and stealin's and skulduggery of all kinds.

"But the trouble with the Bald Knobbers was the same as it was with the Ku Klux before 'em; they took in so many there wasn't any rascals left loose on the outside, so they went to playin' devilment on pore honest folks that they had a spite ag'in, one way or another. Every man that had a spite ag'in another picked up a crowd of Bald Knobbers and went around and whupped the feller, maybe, or cut off his ears, or killed him out-and-out.

"Well, there was a man there they called chief of the Bald Knobbers in that part of the country where I lived. He was a good Christian man, and he'd took it up and organized it because there was a pack of mighty onery folks livin' around there, and it got so it wasn't safe for decent people to stir around. He tried to put a stop to the outlaw doin's of the Bald Knobbers when they begun

to run wild that a-way, but it'd got so big, and so many skunks in it, he couldn't do nothin' with 'em no more.

"What made it harder for that man was his own son and only child—he was a ganglin' boy of twenty-two—ridin' out and mixin' up in every piece of devilment they done. It got so bad in that neighborhood that where the name of Bald Knobber was a sign of peace and safety for honest folks once, it fell off to be a brand and a curse. The law, that couldn't reach fur enough to do what the Bald Knobbers done at first, got up its spunk and reached out after them."

"Of course that would happen," Marion said.

"They arrested a passel of men and slammed 'em in jail, but one night a crowd went there and knocked a hole in the wall and turned 'em loose. They was all accused of murderin' a fam'ly of outsiders that had come in and settled, and amongst 'em was a preacher and the man I spoke of and his son. Every one of 'em but that man that was chief walked out of jail and skinned out. All of 'em but that man's boy got out of the country and never was ketched in this world. That boy, he'd been shot in the leg with a load of squirrel shot in the lynchin' the night the outsider and his fam'ly was killed. He wasn't able to travel, and they got him the next day lyin' in the brush around the spring on his pap's farm.

"They put that boy back in jail and stuffed him full of the fear of bein' hung. They showed him the gallers where a nigger was hung a little while before, and shut him up where he had to see it ever' time he peeked out of the winder. Well, them lawyers and sheriffs come to him d'rec'ly and told him they had a scheme and a way to git him off. He was quick enough to stick up his ears at that, and asked 'em how. Tell who all belonged to the Bald Knobbers in

that county, they said, and git up in court and swear his pap was there the night that fam'ly was murdered by that preacher and the rest. Whe'er or no, them lawyers was bound to have that chief man bear the most of the blame. You know he was to blame, honey, in a way, but he wasn't there when them pore folks was shot as they run out of their burnin' house, no more than he ever took part in any of the thievin's and whuppin's. But the thing he brung to life, honey, it had growed so big and ugly one man couldn't han'le it no more. He was to blame for not cuttin' its head off when it was little, I reckon, don't you?"

"What a dreadful story!" Marion shuddered, drawing nearer Mrs. Prater in the dark.

"Yes, it's a downright sickenin' thing to listen to and tell; I never can think of it myself without the creeps. The long and the short of it is, honey, that boy stood up before his honest father at the trial and swore he helped in the shootin' of them pore outsiders. That onery boy done that trick to save his own neck. The jury believed him and found that man guilty, and let that onery, low-lived, p'ison-hearted boy go free. He sneaked out of the country in the night, but if he's got a conscience and a soul in him the smoke goin' up from their burnin' will betray him before the world some day."

"What did they do with his father?" Marion asked, the weight of the somber story heavy upon her heart.

Mrs. Prater did not answer at once. A little sound like a stifled sob came out of her throat; Marion felt the grip of her hands tighten.

"They hung him, honey," she replied at last. "They built a high fence around the gallers, as high as the second story of the courthouse, and in there's where they done it. I was there, outside with hundreds of other folks, close to

the fence where I could hear. I heard them fetch him out, and I heard the preacher pray, his voice—that honest Christian man’s voice, honey—strong and clear joinin’ in. Never once since the day his son swore ag’in him had that man opened his mouth in his own defense. He seemed stunned and struck dumb by that unnatural piece of treachery. And I was there that day, close by, close by!”

Mrs. Prater’s voice fell almost to a whisper. It became a moan, low-anguished, like the echo of a deep, vast sorrow.

“I heard him go up the steps”—her grip was painful on Marion’s hand—“I heard them fixin’ around, and then I heard—O Lord God, Lord God! I’ve prayed to lose the recollection of that day!”

Mrs. Prater rose suddenly, flinging out her arms above her head. After a moment in this pose of unutterable anguish, she rushed away into the darkness. The sound of her running feet came back to Marion, who stood trembling, terrified, staring after her into the night.

Marion found the lantern, and lit it from a sliver of wood at the stove. Mrs. Prater passed out of her hearing. The darkness stood around like a tent wall beyond the feeble circle of the lantern. No sound came out of it; not an insect raised its stridulous chirr; no cry of beast or bird arose out of its desolation. There was no distant bark of dog, no comfortable low of cattle, nor human note to carry its sense of comradeship in that soundless sea of black.

No matter for her long experience in the open places of the earth, Marion never had felt the loneliness of night with such shivering awe before. Her skin crept; tears stood on her cold cheeks. It seemed such a hollow, unfriendly land of heartbreak and disappointment to be alone with in the dark.

Mrs. Prater returned after what seemed to Marion a

long time. It could not have been more than a quarter of an hour. She did not recur to the dismal story which had disturbed her so, the memory of which moved her to such wild grief. The greens in the pot seemed first in her thought now; she had cast away the terror that had driven her forth into the night to be alone.

"They're about done," she said, stirring the mess around with a fork. "I don't reckon that dandelion's a goin' to soften up much more — it most always is stringy and tough, but it's powerful good for the blood."

"There's a light in the cabin — I believe father's home."

"Sure enough, he is. Funny we didn't hear him go past, ain't it?"

"Maybe he came in the other way."

"Yes, I reckon he must. Ain't you goin' to stay and have a plate of them greens?"

"I'd like to, they smell so tempting, but I'm in a hurry to see father."

Mrs. Prater's fear of skulkers passed away with the gleam of light from Captain Scott's cabin. She came boldly out with the lantern to light Marion across the ravine.

Captain Scott received his daughter's news with unmoved countenance as they sat at table after a supper of biscuits and ham, prepared by Marion on the little gasoline stove. Marion was disturbed by the change that had crept into her father's face in the little while that had passed since she saw him last. She hoped it was the lamplight that made him appear grayer, and seemed to multiply the wrinkles around his kindly eyes.

"It comes straight down from Bass Kirk," he said, his strong brown fingers claspings and unclaspings on the cloth in front of him. "He's spread the word pretty generally that he'll drive me out of Oklahoma; he and his gang don't

want anybody here who stands in the way of their scheme to grab the homesteaders' land."

"Well, you're not going!" said Marion, spiritedly.

"I hardly think so."

"But I think it would be best if you were to disband the league now, or at least drop out of it yourself." She looked across the little table into his earnest face, the shadow of Mrs. Prater's story still in her eyes. She saw the look of surprise that spread to every feature from his quickly raised brows, the little movement of his hand in protest, and hastened on: "You've accomplished what you organized to do; there's no longer any need for the league."

"Not right here in this vicinity, Marion. But even here they're only quiescent, not dead; they've got a camp on an island down the Cimarron about twenty miles. They'd begin their operations again the minute the league disorganized. That's the very thing Kirk wants to happen; that's why this word has been passed along to me."

"I'm not thinking about Kirk and his schemes," she said, "but the internal danger in the league itself. Don't you think it's spreading over so much territory and taking in such a large membership that there's danger of its getting out of your control? Some men in such a big body are bound to be crooked."

"There's likely to be bad apples in every barrel, Marion."

"I've heard of such things—Ku Klux and Bald Knobbers and those, organized for righteous purposes that turned out curses in the end."

"Yes, there's good argument in what you say, Marion."

"The crooks will begin to take up their personal grievances in the name of the league one of these days and give it a bad name everywhere. I've heard the bad ones in such organizations always do that, and you know Kirk and the

rest of them are only waiting to get some hold like that, the blame for something like that, on you."

"They've been trying since the first to get their men into the league for that very purpose," he told her. "No, there'll be no lawlessness in the Home Defenders' League; it isn't the kind of material the Bald Knobbers down in Missouri and Arkansas were made of. These homesteaders are earnest men, many of them enlightened, superior men, Marion. Why, even the sooners Kirk planted in here have turned against him. They've decided that if the land's good enough for Kirk and his backers it's good enough for them, so they refuse to relinquish according to agreement, and of course they've got him. If he squeals he convicts himself. It was from them we got the inside of the big plot that was laid before this country was opened—to gobble up the best of the land around here. Their affidavits have been taken by Justin Burris and are on the way to Washington. There's a kettle of pitch heating for Marshal Bass Kirk."

"Kirk and the rest expected the sooners to relinquish to them—those deputy marshal sooners such as you ran into," she nodded, understanding the plot.

"That was the reason for three hundred-odd deputies being on so-called duty here on the opening day."

"Did that sooner on our claim relinquish to them?"

"No, he's sticking to it."

"Well, that's one sneak that I hope will catch a bullet in his back!"

"There's no telling how far the desperation of Kirk and his crowd will lead them in their disappointment," he said. "Kirk and a number of other Texans who used to graze in here knew the value of these red lands long before we found it out. They're the most valuable, it turns out

now, of any in the whole country. Every quarter-section is worth a little fortune just the way it stands — Mrs. Prater is the one to whom the credit belongs for showing us what the Creator designed this land to produce. She's got as likely a patch of cotton coming on back of her spring on the ridge as you ever saw, all in bloom and growing so fast you can almost see it move."

"Cotton! Why, cotton's a southern plant — surely it can't mature here?"

"That's what all the northern farmers in here thought, but she says the crop will ripen, late as she planted it — says she never saw cotton grow as fast as it does here on this strong new land. She knew the dirt; it's the kind they have down in Georgia, where she was a girl, she says."

"Oh, isn't that fine!" Marion's eyes sparkled at the news; she went around the table and kissed her father's patient, lined forehead, and stroked his rumpled hair.

"Yes, we're not on the way to the poorhouse as fast as I thought, Marion."

"And Mrs. Prater's claim, and your claim, and all the red-dust claims are worth *money*!"

"Not less than five thousand dollars apiece today, at the bottom figure. Kirk and his gang had a fine scheme all hatched, and partly put through, to locate those deputy marshal sooners in here on the finest land and then connect it all up by jumping in between. They'd have had their hands on the best cotton land in Oklahoma if we hadn't come in and stretched the line on them when we did. No wonder they feel sore at the league and me."

"Not a bit."

"They think they can bluff the sooner deputies into carrying out their bargain if they can break our grip — disband the league by any means at all. That accounts for

this bluff they've passed to me through O'Brien, who isn't any better than he should be himself."

"I don't know about him," said she, thoughtfully.

"Ordinarily there would be danger in an organization like the league," he reflected. "There would be in this, only the people in this country are different. It makes a man proud he's one of them to see the way they're currying down this wild country. Oklahoma will be up with and ahead of many of the states in five years' time."

"Yes, I never saw such fields of corn, even in Kansas," she said.

"Folks don't ride by night and whip old women and steal horses in the name of some law-enforcement body in a country were the ground's as generous as it is here, Marion. They leave that to the Bald Knobbers in the flint hills of Missouri and Arkansas."

"Kirk was in the office this afternoon," she told him. "I think he's uneasy over the charges that have gone to Washington against him."

"It's his day to be uneasy. If he gets off with only the loss of his office he'll be a lucky man."

In spite of her father's assurance, Marion was not quieted of her fears. Captain Scott's belief in the integrity of his associates did not suffice to lay the phantom which O'Brien's solemn warning and Mrs. Prater's story had raised in her mind. But it seemed there was nothing more to be said on that head. The purpose of Kirk's rascally scheme now being laid bare to the bone before her eyes, she could think only that it would be not alone cowardly, but criminal, for her to press her father to abandon the league, the one court in all the land to which the homesteaders could appeal for justice and security.

It was still before midnight when Marion's father drove

her back to Victory in the buggy to which he now worked the fleet brown mare. At the Sooner Girl corner she asked him to put her down, seeing a light in the *Bulletin* office.

"I'll stop in and see whether Mr. O'Brien wants help on anything," she explained. "Sometimes we work nights when we're pushed."

The door of the office stood open. Just within the threshold she stopped, for voices in heated conversation rose over the low partition which cut the editorial room from the business front.

"You're carrying it too far, I tell you—entirely too far!" It was O'Brien. His voice trembled and rose high.

"You're flashing up rather dictatorial and arbitrary all of a sudden, it seems to me," returned Mayor Pomeroy. His tone was suave and cool, according to his customary habit, no trace of excitement or anger in it. Marion could imagine him, as she had seen him often, sitting rather insolently erect, his slender legs crossed, cigarette held daintily in his fingers, stayed to await his speech on the way to his lips.

"Well, keep out, then; nibble in your own pastures, bite them to the sod, but keep out of mine."

"I'll not ask any man's consent, or respect any man's limitations, in going as far as I like in this town, O'Brien."

Still the mayor's tone was evenly cold, insolently unmoved. Marion trembled for O'Brien in a contest with that colubrine rascal, no matter how worthy or unworthy the object of it might be.

"One step more, Pomeroy, and I'll build a fire under you! I'm not like the man who can't; I've got the goods on you; I've got you right where I want you."

O'Brien's voice was threatening. A sound, as of somebody suddenly rising, followed his speech. Marion, bal-

ancing in the door between the thought of fleeing and interfering, feared they were going to fight.

"If you ever print an unfriendly word about me — one unfriendly word in your dirty little paper, O'Brien, I'll make you throw dirt from here to Texas in your hurry to get away!"

"Drop it, then — drop it!" said O'Brien, in querulous, panting voice, as if the subsidence of his passion had left him weak.

Marion felt that she had heard too much. She darted out of the door and hurried away, as the sound of Mayor Pomeroy's feet came quickly along the floor.

CHAPTER XV

A NIGHT OF TRAGEDY

JIM TIMBERLAKE went about in those days with a corn knife under his belt, like a sword. It had a handle of soup bone, its two-foot blade was curved like a cavalry saber. When anybody questioned him on his reason for carrying the clumsy thing, Jim only gave the curious one a glance in which he slewed his eyes one way, his jaw another, whistled his little tune against his teeth, turned on his heel, and strode away.

"Hit's for that painter feller," Mrs. Timberlake confided to Marion, as the family sat around her back door on the evening following her visit to the claim.

Jim was whetting the implement on a wagon tire, running his thick-skinned thumb along the rusty edge now and then. Presently he stuck the corn knife behind the rod across the foregate of the wagon and came up the slope leisurely to make one in the loquacious circle about Marion's door.

"Do you suppose he'd strike him with it?" Marion inquired, with a generous reservation of doubt.

Mrs. Timberlake winked, pulling her face up toward her eye, uncovering a jawful of yellow teeth.

"He wouldn't cut a toad-frog open with it, let alone a man," she said. "Jim's the tender-heartedest man that ever rubbed taller on a pair of boots and let the dog lick 'em. Why, that man's never lifted a hand ag'in me in the twenty-seven years we've been married, and I've give him cause, I reckon, times enough."

Marion always was greatly amused and refreshed by these evening symposiums, although she bore a very slight part in them as a general rule. A word now and then, an assent when called for, a *no* when required, was sufficient fuel to keep Mrs. Timberlake's fire going until the children began to grow sleepy and she had to pack them away in the tent and under the wagon for the night.

Jim came up with a hearty salutation, after his way, just as if life was in the forenoon for him, and the sun was bright. He sat on the ground, his lumpy feet crossed like a tailor. William Riley gave over his innocent diversion of trying to pour dust in Rosy Heart's ear to clamber on his back. Jim had been in the country that afternoon to bring to the undertaker's the body of a man found beside the road. He was full of the subject, which seemed to give him a cloudy sort of pleasure much as Noss himself had in his clammy business.

"He was a cowboy-lookin' feller with a scar on his upper lip," said Jim. "The man that was with him claimed they was passin' through."

"He wasn't a settler, then?" said Marion.

"No, he was a stranger to the people around there. The feller with him said they was ridin' along when somebody took a crack at 'em from the bresh. The one that was hit had four holes in his back. He didn't have a nickel on him, and the other feller racked out as soon as he showed me where the corpse was at. Marshal Kirk sent word over to Noss the gover'ment it'd pay for buryin' him."

"We got the story at the office that he was a homesteader," said Marion.

"A jumper, maybe," Jim said, more in the way of a suggestion than a statement.

Marion nodded. Kirk's interest in seeing the man buried

illuminated the situation. She was of the opinion it had been a quarrel among thieves, and the talk already abroad putting the blame on the league rose from the same source that had plotted the man's death. She wondered if he could have been the hare-lipped man of whom Mrs. Prater spoke.

"That Mr. Noss he's the nicest man," said Mrs. Timberlake, pursing her lips as if she had tasted him and found him sweet.

"What became of his horse?" Marion asked, her mind still on the cowboy-looking man.

"Well, you know there's some things it don't pay a man to ask too much about in a case like that," said Jim, twisting his head to express seriousness. "I reckon he strayed off," he added, as if to relieve himself of the suspicion of harboring another view.

"Of course," Marion agreed, in the same tone of double meaning.

"They say he puts folks away so nice and comfortable a body'd just about as soon be dead in his hands as livin' and scratchin' around," Mrs. Timberlake said, engrossed in her thoughts of the undertaker.

"Did they say anything about the Home Defenders' League having a hand in it?" Marion inquired.

"Oh, you hear talk everywheres you go that you better let pass through your ears like a funnel," Jim replied, with diplomatic evasion.

Seeing his unwillingness to discuss that phase of it, Marion did not press the matter further.

"They say he can inba'm a corpse so a body could keep it in the house no tellin' how long," Mrs. Timberlake pursued her subject. "You William Riley! you stop puttin' that grasshopper down your pappy's neck!"

Jim juggled his shoulders as the raspy insect struggled

to climb his neck, taking it all with a laugh as one of the pranks of childhood which must be indulged. Rosy Heart, standing near sulking since William Riley's pleasantry at her expense had gone unpunished, pounced on the little towheaded scamp in a sudden ebullition of anger at this outrage against her pappy's good nature.

She laid hold of Budsey's mane and pulled it; shook him by it, pulled it again in a series of quick, ardent jerks, her temper mounting as the punishment proceeded. She finished him off by slapping his big clabbery cheek, her own pretty face as pink as a wild rose, her lips pouting in an angry scowl.

"Why, Rosy Heart! you ort to be red-ic'lous!" said her mother in scandalized voice. But she did not lift a finger to interpose, and she continued to sit in her place as calmly as a sack of salt after administering this rebuke.

William Riley stood a moment turning his face from father to mother to see what would follow this assault upon his peculiar privilege of infantile irresponsibility. When he gathered that Rosy Heart was to be let off with what had been said to her, he stretched his mouth and let fly his big bawl. He stood with eyes shut, arms hanging limply, his body inclined forward, as if he had been drenched, his loud cry eloquent in the expression of injury and despair.

Jim caught the grasshopper with which the apple of his eye had been experimenting. He held it by its legs, his face peculiarly expressive of the sympathy which the wailings of Budsey stirred in his breast. But there appeared to be some kind of arrangement between him and Lizzie by which one never interfered with the other in the children's behalf. He said nothing to Rosy Heart, only offered the insect to William Riley with great tenderness.

William Riley would have nothing to do with the grass-

hopper. The charm of it had been shaken rudely out of his young fancy. He turned now in sudden viciousness and kicked at his sister, who avoided him by a nimble spring. Budsey followed up the assault, his wailing now reduced to mumblings and grunts as he ran and kicked.

Jim set the grasshopper free, sighed—a tremolo of a laugh at the end of it—the clouds sweeping out of his changeable face. All was well again, and in a little while Budsey and Rosy Heart were whooping and laughing in some loud game around the wagon, the wisdom of Mrs. Timberlake in the management of her children apparently justified in full.

“Lucy Lee is late this evening,” Marion remarked, noting that the leading lady of the family had not appeared.

“Laws, no,” said her mother; “she’s off right after supper, but I reckon she’s gone to take a buggy ride with Mr. Noss.”

Marion looked at her quickly, almost shocked by the unconcerned manner of Mrs. Timberlake.

“It’s the beatin’est thing,” Mrs. Timberlake nodded, crunching twist-tobacco in her palms, “the way them two took up with each other. Mr. Noss he eats his meals at the railroad eatin’-house, you know.”

“No, I hadn’t heard.”

“Yes, that man’s got to have the best there is a goin’.”

Jim was leaning forward, elbows on his crossed knees, whistling his little hissing tune like a cat purring before a fire. He seemed wrapped in thoughts of his own, through which the chatter of his wife and the low soft speech of Marion did not obtrude. The rest of the children joined Budsey and Rosy Heart; the noise at the wagon grew.

“Mr. Noss he’s taken right up with Lucy Lee,” Mrs. Timberlake said, making a little pop with her mouth at

each puff of her pipe, which was fresh lit and in need of close attention. "He wouldn't touch a bite to eat 'less she waited on him; now he wants to marry her."

"It isn't surprising; Lucy Lee is a handsome girl," said Marion.

"Hit's goin' to come off as soon as Mr. Noss gits his new house up and finished. He's got a powerful lot of money; I reckon they'll do right well."

"I'm glad to hear of her prospects," said Marion, smiling, although she thought Lucy Lee was making rather a cold bargain.

"I kind of hung back on lettin' him have her at first." Mrs. Timberlake laughed over the recollection of her demurrer, making rings ascend from the bowl of her pipe as her chuckle went through the stem. "I didn't like the notion of her marryin' a man that handled corpses for a livin', but they say a body gits used to hit and don't mind. Jim says hit's as reg'lar as any business, so I told her to suit herself."

"We've got to bury the dead as well as feed the livin'," said Jim.

"Yes, you'd 'a' been a undertaker yourself if you'd 'a' had your way, I reckon. He just *loves* to trick around corpses."

"It's a honorabler business than dobbin' around with a bucket of paint," Jim declared.

"He'll never forgive that little pot-bellied man," said Lizzie, speaking behind her hand with a slewing of the mouth such as went with her wink.

"I'll open him up like a can of sardines if he ever fools with me," Jim threatened.

"Then you'll git slapped in jail the balance of your life, and where'll all of us be at?"

"I ain't never been shut up in no jail yit and I don't never aim to be."

"Well, I swan to gracious, if hit ain't pitch dark a'ready!" Mrs. Timberlake seemed greatly surprised, almost shocked, over her discovery. She got up, with as much show of haste and bustle as she ever betrayed, feeling blindly for the fold in her dress where the pocket for her pipe and twist of tobacco was concealed. "I must git them chillern in and put 'em to bed."

Off she went about her duty, without good-night or good-bye, in her come-and-go fashion. Jim followed her after a word or two with Marion by way of inquiry into her father's health and prospects. When they were gone, Marion went in and lit her lamp.

Marion felt sad and depressed as she spread that evening's edition of the *Bulletin* before her and ran her eye over it again. O'Brien had not written anything unfriendly to the mayor. On the other hand, for the first time since Pomeroy's appearance in public life, the paper did not mention his name.

O'Brien had not spoken of his rupture with the mayor, even though he might have done so and concealed the cause, she reflected, wondering whether she was passing out of his confidence in his prosperity. His humor had been gloomy and grim all day, as if something dark and threatening hung over him. She regretted the break with Pomeroy for O'Brien's and the paper's sake.

It was a hot, stifling night. Weary as she was, there was no inducement in the stuffy little room where her bed waited. She put out the lamp and stood outside the front door, where a little wind was lifting out of the south. There was no roof to break the sweep of the heavens; she raised her eyes to search out her old friends. The Great Dipper

hung in the northwest, as level as if a careful hand carried the celestial waters in it and balanced it grudgingly, lest it gladden the earth by one lost drop. There was Polaris, winking his red eye, his constellation unusually clear, and southward a shred of new moon wavered, head high above the muddled horizon.

Sounds of discord rose out of Victory, in contempt of the harmony and dignity overhead. Hammers rattled on the ribs of new buildings which the press of business drove their owners to hurry to completion. There was the riot of dance-hall yonder in the distance, with laboring trombone and blatant cornet; in the far distance, where the taint of earth blended murkily with the horizon, singing voices rose out of an evangelist's tent. Over all of it the flare of electric lights reached far across the shouldering rows of dusty tents.

The far serenity of the heavens, the closer turmoil of the new city's life, seemed illustrative of present and future in that land, she thought. Out of this hurry and unrighteousness, greed, graft, and spoliation of the weak, harmony and peace must come in time. Pomeroy and his kind were diseases of infancy which Victory must outgrow, immune in the costly experience against future infection. Calmed and assured, she turned indoors and slept.

A loud summons on her door woke her with rude suddenness. She sat up, groping, feeling herself to be in a strange place.

"Who is it?" she whispered.

The heavy hand knocked again. She was half way to the door, her senses clear again in the thought that it must be Timberlake or his wife, and resenting the fact that they had come around to the front door, when Charley Akers called her name.

"Miss Marion, Miss Marion — O Miss Marion!"

"In a minute, Charley, in a minute," she answered, remembering her nightgown, going back to throw a wrapper over it.

She could hear Charley panting before she opened the door. He was leaning forward on his arms, one hand on each side of the door, as if to hold himself from falling on his face.

"They've killed him, Miss Marion — they've shot him down!" he said.

Instantly there sprang before her the picture of the lonely little plank house on her father's claim, dim and unsheltered in the open field, the night around it. She caught Charley's wrist and clung to him.

"Where did they do it? When?"

"In the office a few minutes ago," Charley groaned. "They shot him down at his desk, Miss Marion — he's lying there in his blood!"

"You mean Mr. O'Brien — they shot Mr. O'Brien?" She spoke sharply, shaking his arm as if to bring light to her own confused senses by violence.

"Colonel O'Brien, Colonel O'Brien; he's all bloody — lying there on the floor!"

The old printer's voice was husky; she could feel him tremble as she held his arm.

"Get a doctor — quick!" she ordered, coming to herself with a sharp wrench of understanding.

"I got him, Miss Marion, then I came — I came running all the way, running all the way. There's a lot of them there, all crowding around. It's terrible, Miss Marion; they shot him down!"

"I'll be ready in a minute," she said.

"Colonel O'Brien and I were in the building, working

late. I was in the composing room, he was at his desk with the window up. They fired through it—they didn't give him a chance."

"Is he—did they——"

"I don't know, Miss Marion."

When they started to the office together she found poor, shaken old Charley's feet too slow. His breath was short, and what he had in him he wasted in exclamations of horror as they stumbled through the dark.

"I'll run on, Charley," she said, darting away from him like a swallow.

As she sped past the raw houses smelling of pine planks, the skeleton frames of others where yellow lanterns and flaring torches guided the carpenters in their ceaseless labor; past tents, row upon row, where the good and the evil lay asleep, she flamed with vengeful passion against the hand which had struck John O'Brien down. In a moment this hot mood passed; the gloom of death bore on her heavily. He was dead; she believed old Charley knew that he was dead.

There were many people crowding the office. They had put the two reporters' little deal tables together, and upon them had laid O'Brien. A little red-whiskered doctor was in attendance, bending over the editor, an electric-light bulb in his hand. He moved the light here and there on its pendant wire across O'Brien's bare back, as if searching for his wound.

"There's only one wound, made at close range," she heard the doctor say. "Look here—it blew powder into his skin. They must have been right up against him. It struck there at the point of the right shoulder blade and went clean through him, just like he was a sheet of paper."

The doctor was talking to Noss, who appeared to be

greatly interested in these surgical particulars. The undertaker was bending over O'Brien, ear close to his chest, listening for the stirring of life. Marion pushed forward, fear for the worst dragging upon her heavily.

"Is he dead?" she asked, standing pale and dizzy at the doctor's arm.

"No," the doctor replied, with dubious hesitation; "he's — he's — on the edge."

Noss moved back at Marion's coming. He was wiping his sharp face with a big black handkerchief now, and there was eagerness in his voice, more professional than friendly, when he inquired: "Will he pull through, Doc?"

"I've seen a lot of men get well from worse wounds than that," the doctor said. Marion's heart leaped up and thanked him. "And I've seen a lot of 'em die from scratches. In this case I wouldn't go too far either way for three or four days." Down again Marion's hope fell, leaving her cold.

Martinez, the little Mexican from the Sooner Girl, came pushing through the crowd, twisting and squirming in his eagerness to see. His black eyes were bright in the light which Noss was now holding at the doctor's direction; he panted from his struggle to get through the pack in the room. The doctor set to work to give O'Brien emergency treatment, in a leisurely, slow-handed way. With a pad in one hand, a bandage in the other, he raised up and frowned at the eager citizens who were shutting out the air.

"You'll have to clear out of here," he said.

They moved back, all but Reno Johnson, who stood where she must have been standing all the time, unseen by Marion until that moment. She was garbed in her black dress, her yellow hair was tumbling down, showing that she, also, had come in haste to that tragic scene. Her face was

as white as her apron; her eyes were staring and full of horror. She stood as if struck immobile by the sight under the light, her lips open, her hands twitching as she held them before her in an attitude of appeal.

Marion never had spoken to her. Now she turned her back. The window beside O'Brien's desk stood open; his chair lay overturned; near it spread a great blotch of blood that somebody had tried to wipe away with a paper. As she looked, that hot flame of anger played again in her breast. Somebody should pay for that shot out of the dark, she vowed; somebody should pay!

"Are you a relative?" the doctor asked, looking up at her suddenly, his important work suspended.

"She's the associate editor, sir," Charley Akers answered for her, with cold dignity.

"I've seen you around here," the doctor nodded, "but I thought you might be related."

"Not at all," said she.

"Well, you —" to Charley — "better clear these people out of here. I don't want the whole town breathin' its breath into his wound."

Charley moved at once on the doctor's suggestion, leaving only Noss and Reno Johnson, of all the outsiders, there. Reno had not spoken a word; she had not moved from the spot. Only she had dropped her hands to her sides and gathered the folds of her skirt in her fingers. She clutched the cloth with the desperate hold of one whose jaws are locked to fight a pain.

"He lived at the hotel," Marion heard Charley say, evidently in reply to a question.

The doctor shook his head. "I don't want to risk a hemorrhage taking him that far."

"Could he be carried two blocks?" Marion inquired.

"If they'd go easy," the doctor nodded, flashing the light in her face, studying her with intent, boorish curiosity.

So they bore O'Brien to Marion's little house and laid him on her bed, his thin face appealingly sad in its bloodless white. His lips still wore their whimsical, puzzling expression of a smile, as if he protested, even unconsciously, against the hard usage of a world for which he yielded only the friendliest feeling of his soft heart.

CHAPTER XVI

FIGHTING BLOOD IS ROUSED

MARION was at her desk in the *Bulletin* office next morning, as white as if her own blood had been drawn away. But she was cool and steady as she dispatched the two reporters on assignments which made them prance in their eagerness to get out on the streets.

When John O'Brien had labored late, presenting his back to the assassin's aim, he had laid out an amazing piece of work which Marion felt had fallen on her shoulders to carry to completion. She had found an unfinished editorial on his desk, broken off at the beginning of a word, stained by the blood that had sprung from his breast when he fell. That red blotch was his seal, she told herself; the consecration of his heart to this higher, nobler thing.

That piece of writing seemed ample proof that he had rebelled at last against the ignoble part he had been playing in the affairs of Victory and Oklahoma; it was evident that he had struck the match which was to start the threatened fire under Mayor Pomeroy. It was a denunciation of graft and grafters, naming men and citing instances—a red-hot attack on Mayor Pomeroy, the city councilmen, the mayor's board of arbitration, and fellow-crooks in general. In the course of it O'Brien appealed to the permanent business interests of the city to stand up and throw off this thing which was strangling the municipality in its promising youth. He had begun an exposition of the injustices which the poor and friendless had suffered through Pomeroy and

his schemes of favoritism, when the bullet stopped his pen.

Marion added a few lines, in the exalted spirit that she seemed to borrow from O'Brien's unexpected and happy renaissance: "Here the hand of the public enemy struck him down, but the noble work to which he had lifted his arm shall proceed."

She gave the reporters free hand to uncover the record of Mayor Pomeroy, his public acts, his private life, and they had gone out upon the business with hungry eyes. During all their connection with the *Bulletin* they had waded waist deep in scandals which they could not touch, iniquities which they dared not disturb. They had been like muzzled horses in a field of clover, frantic for what they could see but upon which they could not feed.

Now they had something to write about, they said to each other as the pair of them went bowling off to begin the work of tarnishing Mayor Pomeroy's gold plating of respectability. No more column articles on the grandeur of implement and barbed-wire warehouses; no more soul-debasing biographies of leading citizens whose thick hair grew down to their eyes, at so much per column, and additional for a cut. The day of "mugging" was over; the solid food of scandal upon which reporters grow and expand to editorial condition, was on the board before their famished eyes.

Marion had not undertaken this big task of regeneration and purification on her own unadvised decision. Jim Timberlake had summoned Captain Scott within an hour after O'Brien fell. Marion had placed the unfinished manuscript in his hands and turned away, tears in her eyes, while he read.

Captain Scott sat a little while after finishing the reading,

his head bowed as if he returned thanks for the reclamation of a son.

"It was hard luck that he had to put things down just when he was taking off the leading-rope of that gang," he said.

"They knew what was coming; they shot him!" she declared.

"It looks that way," he admitted.

"But his work must go on," she said; "his assassins must be shown that there's somebody left to carry out his plans, even feebly."

Her ingenuous face reflected the fidelity of her heart and the ardor of her soul as she strained to hear the slightest sound from the adjoining room, where the editor lay on her bed, his breath so slight between his lips that it would not have lifted one of the thousand bright hairs on her temple.

"He'll come through in time to drive them to their holes," her father said in hopeful conviction. "A man with that kind of fire in him doesn't lie down and die over a little thing like this."

"I knew him better than anybody here knew him," she declared. "I think I know how he'd have carried this campaign out. I've heard him express himself on these grafters a hundred times; he always chafed under the yoke. I'll go on with the fight."

Captain Scott shook his head, expressive of doubt. "It's too much for you, child; you couldn't undertake to fight such a powerful combination as Pomeroy and his gang. I doubt whether even O'Brien could shake their hold here now. Let it rest till he's able to go on with it according to his plans; just get out the paper like it has been run, with eyes shut to everything the public ought to know."

"One paper is stronger than a thousand men," she said. The paper would have to tell the story of the assassination, she explained, and why not uncover the motive behind it at the same time? She argued for her plan, and he listened, with a gladness in his eyes to see her so capable and strong. She told him the two reporters were experienced, capable men who had been through such things before, and that Charley Akers was learned in the law of libel, and able to tell her how far to go. Captain Scott gave up his objections to her plan at last. They sat out the ebbing night talking it over, glowing with warmth for the great work to which she was to set her inexperienced hand.

It was their belief that the best people of Victory would rise and endorse the attack upon graft with acclamation. Marion said she had no doubt that Justin Burris would be a strong supporter of the "spring clean-up" as she called it. Her father was one with her in that opinion; at the mention of Burris, neither of whom had thought of him before that moment, he seemed to gather fresh assurance. Burris was a man to be relied upon for sage counsel and sound advice, he told her; go to Burris when in doubt, and take the road he pointed out as the safe and sure one.

Mrs. Prater had come on Marion's summons, and was in charge of the wounded man. The doctor was still indefinite at daybreak on O'Brien's chances to "come up the hill," as he expressed it. He had hope, but he was not extravagant in expressing it. Would he be able to discuss business matters in a few days? Marion inquired. Well, he might, and then again he might not. So the matter hung when she went to the office to begin her notable assault against the stronghold of corruption.

Charley Akers told her on her arrival at the office that

the chief of police had been there looking for tracks outside the window, where the tracks of the hundreds who had come ahead of him and gone their way lay thick in the trodden dust. He had inspected the wall, the chair, the desk, as if he expected to discover something that would convict the editor of an attempt at self-destruction.

Mayor Pomeroy came early. He seemed sincere in his expressions of feeling over the tragedy, promising the guilty person would be brought to justice speedily, if honest endeavor could accomplish that end. He sat in O'Brien's chair, turned himself from this position to that, his clear, thin face wearing an expression of sternness that gave him more the stamp of a man of purpose and strength than Marion ever had credited him with being. He went into the matter with a certain sharpness which must have stood him well in his newspaper-reporting days, his clear blue eyes as hard and cold as a winter sky.

"I suppose the paper will continue publication under your direction, Miss Marion?" he said.

"We'll make a stagger at it, Mr. Mayor."

"I don't suppose Colonel O'Brien will be able to hold an editorial conference for some time?" he ventured, his impassible eyes fixed on her face with such insistent scrutiny that hot blood rose to her cheeks.

"It will not be necessary; he left directions." As she spoke she turned upon him slowly, accusingly, and met his bold eyes with a strong, meaning look. The mayor laughed, inadmissible of mirth as the situation seemed to her. It was a short, harsh little laugh, not pleasant to hear, but there went with it such a good-humored expression, even a little softening of his soulless blue eyes, that one thought it would be much better for Mayor Pomeroy, and the world which he dealt with, if he laughed more frequently.

"If it included a desire for my biography I could have given it to you, even written it for you, myself," he said.

"Autobiographies are not much in our line," she replied, turning from him in assumed indifference.

"I gathered as much when I heard how much trouble your men are going to trying to dig up something on me, Miss Marion."

"I don't anticipate that either of them will have to break an arm to get down to it, Mr. Mayor."

Again the mayor laughed, his face coloring slightly, a gleam of admiration in his unsympathetic eyes.

"You can find people that will charge anything up to me in this town, from plain graft to murder and arson," he said. "But, of course, I wouldn't advise you to take everybody's word."

"Surely not."

"If there's anything I can add to what you find out, or fail to find out, call me up, Miss Marion. I'll be happy to cooperate. Colonel O'Brien and I have been too good friends all these years for me to hold out on him in his hour of need."

The mayor's easy view of what he knew to be impending only confirmed her in the belief that he was a scoundrel; his indifference but added proof that his soul was as unfeeling as it was unmerciful. She understood his friends had gone to him with the first word that got abroad concerning the reporters' activities. But he could not know anything of the broadside O'Brien had loaded for him. That would scorch his thick skin and make him squirm, unless it was invulnerable to even mustard itself.

The mayor watched her while she ran through a bunch of proofs, smudgy proofs with black slugs in them, and finger prints on the margins.

"Well, I wish you all success," he said.

"Thank you, Mayor Pomeroy."

"You'll continue making a paper of the *Bulletin*, even improve on it, I know. If there's anything I can do, as a newspaper man, command me like one of your force."

"Your friendship is generally considered a valuable business asset in this town, Mr. Mayor; thank you for your offer."

"We'll continue friends," said he, assuringly.

"Speaking of the paper, Mr. Pomeroy?" indifferently, pencil busy on the proofs.

"The new editor, in particular," he returned, too seriously for mere gallantry.

There would be an adjustment in the mayor's warm feeling of friendship for paper and editor, thought she, believing that her face foreshadowed what was to come in grim and terrible expression, when it was only exceedingly fresh and sweet. She looked severely at the mayor. He smiled.

"There's that old matter of the survey standing between us," said the mayor, frankly. "I've never had a chance to convince you and Captain Scott that you misjudged my motives in that proceeding, Miss Marion."

"I don't believe we've got any proof in this office right now to uphold you on that statement, Mr. Mayor."

"Captain Scott pitched into me so rough-handed that day we drove the squatters out of the streets that I guess I flew off sideways and said a few things I shouldn't have said. The best of us do foolish things like that sometimes, Miss Marion."

"Oh, forget about the survey—that's over and done," she said impatiently, wishing he would go.

"I had made other arrangements for taking care of

Captain Scott; he wouldn't have been the loser by giving up his lot to the city. There were prior—well, obligations, we will say, to be considered in that transaction, if you'll take my word for it."

"I haven't the slightest doubt of it," she granted, with scornful sarcasm.

"There's a better lot than the one the city took from Captain Scott to——"

"Put the Sooner Girl on the corner," she finished.

Mayor Pomeroy fixed her with his clear, cold, beautiful blue eyes, holding her under his steady gaze as dispassionately as if he looked into a barrel of water.

"I admit the indictment, if frankness will do anything to clear the atmosphere between us," he said, with frankness in his steady voice. "But, as I was saying, there's a better lot over in front of the square that I intended to put Captain Scott on. I've been holding it for him; I'm holding it yet. He can have it today. Do you think he'd consider it?"

"Whenever you're ready to put on your wooden overcoat, Mr. Mayor, go and offer it to him!"

"You've got peculiar views on it," said he, shortly, plainly displeased.

"Very peculiar. You had to take that lot from somebody else."

"What of it? It didn't hurt them to lose what it didn't cost them anything to get."

"Claim-jumpers make the same argument, Mr. Mayor."

"Well, we're not going to quarrel," he said lightly. "You'll think better of me one of these days, when you get the true light on the situation."

Marion had no inclination to prolong the discussion. She hailed Charley Akers as a deliverer when he came in

from the composing room, inky and rumpled of hair and beard, with an inquiry about early copy. She immediately gave him her full attention.

The mayor rose. With a polite, and apparently sincere, repetition of his offer of assistance if needed, he went his way. If he was moved in any direction by the attack impending against his life and habits, it surely was not toward either grave or deep concern.

The appearance of the *Bulletin* that afternoon was not followed by any convulsion in the social or civic affairs of the town. Victory maintained its usual daylight placidity in spite of the passionate, hot-worded story from the tireless elbow of the senior reporter, in which the shooting of O'Brien was directly charged to the gang which had hoped by his taking off to prevent the exposure which they knew to be coming.

A few business men telephoned to inquire of O'Brien's condition, and to speak, guardedly and incidentally, of the fight the paper had taken in hand. Nobody seemed to be sure of the sincerity or reality of the movement on the paper's part. It might be only the clamoring of a dissatisfied member of the grafters' syndicate, who felt that he was being short-changed by his own crowd.

Those who came in after the appearance of the paper—and they were few and inconsequential—to discuss the matter with the acting editor, spoke dubiously of the adventure against the mayor and council. Things were not in such deplorable state in Victory, they said; this publicity would only give the outside world a false impression and keep business away from the city and surrounding country. True, Pomeroy was said to be a notorious grafter, and was believed to be getting rich somewhat faster than his original capital seemed to warrant, but, when the

worst about him was said, it must be admitted that he got things done.

Look at the waterworks; look at the electric lights; look at the paving. Look at this, look at that; look at the prosperity, the wonderful buildings, the promise of future bigness that you could feel with your fingers in the very air—and so on, in the world-old defense by the good who are profiteers in crookedness and easy-going ways.

Take them the world across and back again, good citizens are a cautious lot, "representative men," such as the Chambers of Commerce list and sow abroad, are a cautious crew where they have property investments. They look upon the capers of reformers with cold eyes when they come threatening the institutions under which their prosperity has increased. What is graft, anyway, but a short cut for men to their desires? It is easier, almost always, to purchase special privileges than to wait the slow process of legal enactment for public justice. Besides, exclusive favors are the most enjoyable. If there were no buyers of favors, grafters in public office would cease to be politicians and close up shop.

Marion went home that evening depressed and disappointed. The heart of the public seemed to be very small, indurated, and buried deep in its fleshy breast. John O'Brien would have been rewarded with better results if he could have struck this first blow himself, she believed.

O'Brien was conscious, but pitifully weak, Mrs. Prater told her. Marion did not go into the room to see him, for the sight of his white face only intensified her yearning to alleviate his sufferings, and rebuked her with a sharp sense of her own impotency. She arranged with Jim Timberlake to take Mrs. Prater's place at the patient's bedside for a few hours, and returned after supper to the

office to finish the work for which her crowded day had been too short.

Marion believed John O'Brien would die of his wound. She hastened on to her unfinished tasks in a fever of anxiety to have them done, as if in the dispatch of this business for him she would be feeding the feeble ember that still lay alive in his breast.

CHAPTER XVII

LAWYER BURRIS IS ACCUSED

ONE morguish light burned in the little business office of the *Bulletin* when Marion arrived, but for all its pale illumination the place seemed full of foreboding shadows. There was nobody in the front of the building, although she knew Charley Akers would be in the composing room working double shift to make up for the printer who had gone over to the *Eagle Eye* that day.

Charley came to the door in the partition which shut off his grimy domain when he heard her come in, and gave her a nod and a smile.

"I wish you'd pull me a proof of Palmer's story on Pomeroy and the townsite companies, Charley," she requested. "I don't want to hold you back on the make-up in the morning like I did today."

There was no light over her own desk. Reluctant as she was to do so, she turned to O'Brien's. It was a hot, close night. She pushed the window to its full height and stood looking into the narrow passage between the newspaper building and the Sooner Girl Café while waiting for Charley to bring the proof. There, somewhere—the doctor had said but a few feet distant from him—the assassin had stood to fire his cowardly shot into O'Brien's back.

Through the open windows of the café clubroom, a little way along from where she stood, the sound of voices and low laughter came, and the click of billiard balls.

The nearest of these windows was not more than ten feet away. She shuddered at the thought that the hand holding the weapon might have been thrust out of it, and that the evil eyes which aimed it might be watching her even then.

Now and then a shadow crossed the window; now and then a little drift of tobacco smoke whisked out under the upraised sash. But there was no boisterous noise within, no loud speech, no ribald song. Reno Johnson was an orderly lawbreaker, when the worst was said.

Marion bent to her task; time passed her unheeded. She had much to do to prevent the work piling up and smothering her, for the sins of the world do not increase as fast as a stack of copy on an editorial desk, once it gets the start of the editorial hand.

She heard somebody come to the front door, which stood open to coax in any straying wind that might chance to slip its bounds. She thought disjunctively that it might be one of the reporters roaming around after the restless manner of his craft, but it was the voice of Justin Burris that hailed her from the partition door, which he filled with his great frame almost so entirely there was room only for the black muzzle, eager eyes, and panting tongue of the dog that crowded against his leg.

Marion arose to welcome him, glad for the sound of his hearty voice, glad for the sight of his homely, honest face.

"I've been out of town or I'd have come over to see you before this," he apologized. "I didn't hear of it till about an hour ago."

"Why, there's Herman!" she said, with a glad note of surprise.

"Yes, it was Herman that took me a chase out to the country. I heard a fellow had him, but it took me a good while to locate him. The scoundrel had him tied up."

"Poor old Herman!" She stooped to caress the collie, who sat down and offered his paw, in the sociable trick somebody had taught him when a pup, his white breast showing like a gentleman's waistcoat.

"I called around at your house; they told me you were here. I'm afraid this double duty and night work isn't going to be good for you, Miss Marion."

"I'm just about through for tonight," she said, looking up at him with aching eyeballs. She indicated that she wanted him to sit in her place at the desk, fetching her own chair over and posting herself to face him.

"I want to get away from work for a little while—I don't even want to look at it," she told him, pressing her hand to her tired eyes.

They talked of the tragedy that had laid O'Brien low, and of the probable motive behind it. She was surprised and hurt to discover that the lawyer did not hold with her on the theory she had worked out and set the hungry reporters to develop.

"The mayor and the rest of them were not afraid of O'Brien," he said, with such cool positiveness that her heart sank. "This paper isn't quite strong enough on its young legs to do them very much damage, Miss Marion. No; you'll have to look for another motive if you're going to clear this thing up."

"But I have very good reason for believing we're on the right scent," she persisted, "the very best reason for knowing that a break between Mr. O'Brien and the mayor was imminent. They knew what was coming, and they shot him."

"For ethical reasons, for comfortable reasons, I'd like to agree with you, Miss Marion. But a man doesn't commonly cut off the principal source of his prosperity before

he's feathered his nest. O'Brien couldn't afford to break with the city officials, not for a good while to come."

"You mean the city printing?"

"Yes; and other emoluments which you and I don't know anything about."

"The city printing is a big item," she admitted, thoughtfully.

"Isn't it almost everything, Miss Marion? Standing matter from day to day, the rate going on just the same. Clear profit, you might say. The daily run of business doesn't much more than cover expenses, I'm afraid."

"I don't know about that; I've never gone into it."

"Well, don't you think, as a business woman, Miss Marion, you'd better slow down on the mayor and those fellows till O'Brien's able to take the thing up and do what he wants done in his own way?"

"Can there be any doubt about what he wanted done, Mr. Burris, after that unfinished editorial?" Marion was hurt by his suggestion; disappointed in him sharply. She had expected him to spring to her support and flank her like a solid wall.

"There is always room for speculation, at least, on a man's unfinished business," Burris replied, judicially, his grave eyes on her face. "You aren't quite sure he wants to go ahead with this campaign, that he ever intended to open it at all."

"He had his campaign outlined, Mr. Burris," she replied, a little stiffly.

"Pardon my insistence, Miss Marion, but I'm thinking only of you, and what might happen to O'Brien's property through you in following up a mistaken idea. Did he leave anything besides the unfinished editorial that you published today?"

"Isn't that enough?" she countered, evasively.

"Miss Marion, I'm afraid you're working in a fog." Burris put out his hand in a gesture of caution, shook his head, his face shadowed over by doubt. "You mean well," he hastened to explain. "Your loyalty is a credit to yourself and a compliment to him, but I'm afraid you don't realize what you're doing; I'm afraid you'd just about as well put a match to this building and all inside of it and see it go up in smoke, as to go on with this fight against the mayor."

"Have you seen the mayor, Mr. Burris?" She asked this with a sudden thrill of virtuous indignation, sitting up very stiffly, her pretty back straight.

"Yes," Burris nodded, "he was about the first man I saw when I went to the hotel."

"I thought you talked like you were arguing for a client!" she flashed.

"You are mistaken in that," Burris returned, calmly, although his face colored. He looked at her searchingly, as if he chided her for failing to understand without explanation. "It isn't on O'Brien's account that I'm trying to advise and lead you, Miss Marion, but solely on your own. I don't care what O'Brien does to raise or ruin his fortunes, but I'd hate to see you ruin him."

"The best element in this city will support us in this fight on the mayor and his grafting crew!"

"Has anybody that amounted to anything been in yet to tell you how much they appreciated it, Miss Marion?"

"They'll come," said she, here eyes fixed in unwinking stare on the partition wall.

It seemed to Marion, there in the yellow light of her one electric lamp, that the scene was entirely artificial. She pulled at herself with inward concentration to bring the

reality of it to the front. She ought not to be there; she belonged somewhere else, she argued in her subconscious mind. That was not Marion Scott sitting there in that unfinished little newspaper office that midnight hour, but a dream that Marion Scott was dreaming.

"I'm afraid they'll not," Burris said, looking at her so directly, so long and searchingly, that her own eyes quailed. "They'll line up on the side of political power. Business always has done it, everywhere; it always will do it, to the end of the world."

"We could go on without the city printing and be cleaner for giving it up," she said.

"Of course you could, if business would stand by you. But business will drop away from this paper like leaves after a frost; you'll be left high and dry inside of three weeks."

"We'll make a weekly of it then, and keep up the fight for a clean town."

"I'm afraid Colonel O'Brien will have different views on the matter when he gets able to express them to you," Burris said gravely.

"Of course, if you want to argue for your client, Mr. Burris, this kind of talk is to be expected of you."

"The mayor is not my client," he denied, so calmly, so gently, treating her so much like a headstrong child, that the righteous scorn of him to which she was trying to whip herself wilted and fell.

"You said you came straight from him to me."

"Yes, I came straight from Mayor Pomeroy to you, but only because I met him first. He didn't tell me anything about his feelings in the matter; I didn't ask him, but you and I know the council isn't going to stand by inactive while this paper tears into it this way."

"When are they going to take away the city printing?"

"I don't know anything about it, Miss Marion."

"I thought perhaps they'd delegated you to sound a warning to slow up on them," she said, with the cruel injustice of a fanatic who sees connivance in every word of contrary argument.

"Miss Marion" — earnestly, almost pleadingly — "what do you want to mix up in this squabble for? You're not one of these women who thinks like a man and wants to sit in poker games and hold office; you're a fresh-hearted, innocent girl with a good level head and a lot of penetration, but you can't hold up your end of it in a row between roughs like these fellows here in Victory. It's something too foul for your little hands, something that you can hardly touch, even to rectify, and come away undefiled."

"Somebody has to clean the stables in Victory, Mr. Burris; there isn't any river here that we can turn into them in the ancient and approved style."

"There is a river rising, Miss Marion," said Burris, earnestly. "We must wait till its flood-crest comes."

"There'll be nothing left but the bones of Victory by that time, I'm afraid, Mr. Burris."

"This is not the right way to go about reforming a town like Victory, a country like this new raw Oklahoma. I admire your courage and spirit, but it isn't the way. A newspaper will accomplish nothing but its own destruction in the attempt. I believe O'Brien would tell you the same thing if he could talk it over."

"The evidence is against your view of it," Marion returned, her handsome chin lifted haughtily, her grave eyes on his face as if she probed his soul.

"Of course, I don't know Colonel O'Brien very well;

"I can only judge him by exteriors," Burris admitted, thoughtfully.

"I feel that I know him, Mr. Burris, better than anybody here."

"I expect you are better acquainted with him, Miss Marion. But judging Colonel O'Brien from the exterior, I would hesitate to say I believe he ever meant that piece of writing for publication."

Marion's back stiffened; the fighting blood of her strain rushed into her face.

"You're mistaken in that conclusion, sir. Mr. O'Brien was too easily tolerant with these grafters, but their taint never reached him. Mr. O'Brien is my friend, Mr. Burris; I'll not sit here and let you ——"

Burris put up his hand, like a teacher silencing a pupil. "I haven't said, I'm not going to say ——"

"He was easy with them, he profited with them to a certain extent, I'll not deny. But he never was a crook, Mr. Burris; his soul was white."

"Then the friendliest turn you can do him, if you esteem him so, Miss Marion, is to give me the word to carry to Mayor Pomeroy that you'll forget what has been said and done and let the matter rest, go right on with the paper like it used to be run, until O'Brien is back in the saddle himself."

Marion looked at him with reproachful sorrow, more hurt than indignant to hear him make this treasonable proposal.

"I thought I could count on your help—your moral support, at least—I didn't think you'd sell out to the other side!"

"Miss Marion, Miss Marion!" Burris protested, his brown face growing white.

Marion rose, confronting him with mounting indignation and anger. She said nothing for a moment, only swung the chair on which she had been sitting back to its place before her desk, as if to tell him his mission had failed and the interview was at an end. Burris also stood, a look in his homely face that told of a thought being weighed and considered for expression. Whatever it was, he put it aside, sighed, held out his hand to the collie, who rose up eagerly and stood waiting his command.

"I didn't think you'd do it," said Marion, anger boiling higher in her at every word, "but that's all a person could expect of a *sooner*!"

Burris stood as if her words had crushed his spirit, his head bent, his look turned to the floor, his great hands hanging at his sides. Once he lifted his white face and looked at her, something of appeal, of fright, she thought, in his somber eyes. But he said nothing, either in denial or defense; only took his hat from O'Brien's desk and left the place, walking out softly on his toes, as if from the presence of one asleep or dead.

Marion stood by her desk pale and shaken from the passing of her quick-flamed passion. Her hands were clammy, her lips were cold. She felt as if she could find relief in uneditorial tears,

CHAPTER XVIII

AN EDITOR'S SOUL

VACANT lots were beginning to appear in the rows of weathered tents up and down the streets of Victory. It looked as if the infant city had begun to shed its teeth. The reason for these breaks in what lately had been continuous spreads of canvas from streets' beginning to streets' end was entirely natural, and due to no unfortunate pestilence or calamity. People had failed to realize on their inflated expectations; they had come to see that a city could not live upon itself. Victory was adjusting its size to the necessity for its being there at all.

Lots for which men had raced and killed their teams, fought and strived and shot their fellows, were now thrown on the market for what they might bring. A few squares distant from the business section which clustered near the railroad, lots could be bought for one hundred dollars each — lots for which the owners had refused five times as much but a little while before. But that was in the "early days," as they already spoke of them, when the golden mist was in everybody's eyes. Now there was only red dust, which fretted them to inflammation, but corrected their vision of values better than the best spectacles ever ground.

Victory would be as big and prosperous as the surrounding country might make it, just as it comes in the fate of any city, anywhere. This riddance of its excess population was a healthy purging. Business could see

ahead now; things were moving along in the city with earnest, settled stride.

Jim Timberlake shared the prosperity that came with this unburdening of the city's excess load. He was busy every day, sometimes far into the night. Before long he bought a lot for twenty-five dollars adjoining Peter Cook's plot, upon which Captain Scott's house stood. Jim removed to it immediately, proud in being a landed owner for the first time in his life, even though, as Mrs. Timberlake said, it was "a piece of dirt no bigger'n a body gouges out of his eye on a windy day."

Marion was glad to have the Timberlakes disposed of, but she would have been better pleased if they had found a location farther away. Diverting as the family was, it would have been pleasanter at times to have had Budsey on some other range with his dishpan and his lamentations. Not that anything of that sort disturbed John O'Brien, lying there with a bullet hole through his lung. A week had passed since the tragedy; O'Brien had rallied strongly for one so frail. While he was mending every day, the doctor feared the possibility of a hemorrhage, and forbade him to converse. Marion was shut out of the room, deprived of the counsel of which she stood so sorely in need.

Marion left a file of the *Bulletin* at hand, ready for the editor when the doctor should give the word that he was strong enough to read. Mrs. Prater knew where to lay her hand on the papers at the first moment.

Mrs. Prater reported him coming on "as brisk as a bird." She said she had great difficulty to restrain him from talking, harder work to confine him to his bed. He wanted to get up and dress, he wanted to talk to Marion about the business; he wanted this and he wanted that,

and he was getting to be a job almost too big for her hands, she declared.

Marion was glad to hear of this, for if the case was bright for O'Brien, it was dark enough for his paper. There were no two ways about it; the reformation of Victory had failed. She needed advice from a competent head that morning as she never had wanted it before.

"Maybe he can read the papers this morning?" she said, hopefully.

"I'll put 'em handy. If the doctor says so, I'll let him," Mrs. Prater assured her.

Marion was anxious for O'Brien to see how faithfully she had carried on the work blocked out in his unfinished editorial, but she feared the leanness of the paper in other respects might have a discouraging effect. The city council had given the public printing to the *Eagle Eye*, which had sprung into a daily at once on the strength of its new fodder. At the time, Marion had met the loss with cheerful face.

"It will release a lot of our type," she told Charley Akers.

That was true, the business manager said, with gloomy brow, but type would better be tied up profitably than lying unused in the case. For the business men had followed the lead Burris had told her they would take. Business seemed to know, without any counsel on the point at all, which side of its bread was buttered. The business manager—who was also circulator, bookkeeper, collector, and advertising solicitor—said it was like walking barefooted in a snowdrift to go out and solicit advertisements.

Added to this business failure was the collapse of Marion's case against Mayor Pomeroy. The two reporters were strong-winded and willing, but they could not overtake

any evidence against the mayor. They failed to round up and get into a corner even one man who would make oath that he ever had given Pomeroy a dollar for any favor whatever. The air was full of stories of his grafting leads; everybody winked and nodded, and said he was undoubtedly lining his pockets out of his office. But the contributors, the buyers of his favors, were too deep or too cautious to put pen on a paper bearing a notarial seal.

Everybody was too busy to care, anyhow; Victory was too prosperous to be reformed. A banker or two came to the office to protest against the *Bulletin's* furor over Pomeroy and his alleged iniquities. All that was past, they said; let it lie still. The agitation would keep capital out of the country; nobody would want to come to a town where they were told they would be robbed.

Noss came to lay the weight of his word against the beam on which the mayor was being weighed. He regretted he would have to withdraw the support of his business from a paper that persisted in assaults on one whom he knew to be an honest man. More than that, Mayor Pomeroy was his friend. He had turned business to Noss; he would turn more business. So you could see how it was, the undertaker said. As a neighbor he regretted the necessity of carrying the cuts of the coffin and hearse over to the office of the *Eagle Eye*, but as a man of business it was the one thing left for him to do. He did it, accordingly. The business manager saw him go with a sigh.

Even the evangelist, who was building a church on the lot beside his tent, came in with injured countenance to add his word. Publicity of that kind was not the way to secure reform, he said. If there was a scandal in a man's family, he hid it and prayed; if he had a wayward son he didn't give the tale to the newspapers to be sown abroad.

An appeal must be made through the church to men's better parts. He had hope, strong hope, of bringing Mayor Pomeroy into the fold. The mayor was a liberal man; he had given one hundred dollars to the new church fund.

Business men in general said nothing. They simply discontinued advertising. Even the circulation shrunk alarmingly. The *Bulletin* was shrivelling like a cut leaf in the sun.

The swift descent from the paper's place of prosperity was a bewildering experience to Marion, who had expected the solid business interests to come forward with redoubled support to show their loyalty and appreciation. She was troubled, she could not understand it; for she set her face stubbornly against the acknowledgment that Burris was right, that he knew more about the world, and the people in it, than she.

When she arrived at the office that morning the business manager was waiting with his books spread on the counter. There was no use trying to go on that way, he told her. It took money to run a daily newspaper; O'Brien had been laying it out in improvements as fast as it came to his till. There was no reserve; the week's business would not pay the mechanical bill. He advised suspension of publication until O'Brien was able to take the reins again.

Marion was stunned, bewildered; she could not understand it. Hadn't the *Bulletin* published some smashing articles? Hadn't it rushed fearlessly forward, carrying out the program O'Brien had in mind as revealed in that unfinished piece of writing with the seal of his blood upon it? Certainly, said the business manager, with a long list of unpaid bills before his doubtful eyes, certainly, it *had* rushed.

There was nothing to be done but suspend. The two reporters heard the news with gloomy faces, hands deep in pockets which seemed to have little in them to impede. Outside the office they stood, one looking this way, one looking that, as reporters stand always, everywhere, when the paper they have been frying the marrow out of their bones for goes down. Presently they separated, each to go his new, uncharted way. There was no other foothold in Victory; it was a long jump to the prospect of another job.

Marion sat at her desk as the printer came out, letting the door of the composing room close after him with a careless bang. What was the use, anyway? his attitude plainly said, as he slouched out with his hat on the back of his head. He seemed the last rat going ashore. His departure brought tears to her eyes, not for him, certainly, but for the big idea. Charley Akers followed him directly. Prosperity and reverses were alike to him; he was a gentleman, no matter which way the wind came. He would not show his discouragement to Marion.

"We'll keep things ready; it will be all right again when Colonel O'Brien comes back," he told her. She nodded, her face averted, not daring to trust herself to speak.

"It's the first business day I've had off for a long time, and I welcome it," said Charley briskly, "on account of some private matters which I've been putting off from week to week. This gives me a chance to straighten them up."

Charley went off on his unfinished business; the mainstay in the front office shut his books and followed him. Only Marion remained in the building, where the evidences of past activity were spread on every hand. It was the second

tragedy to fall on that place in a week's time, she reflected. That shot in the night had paralyzed the brain of the *Bulletin*, and now the body lay dead.

Marion never understood before how weak and dependent a newspaper was in so many of its vital parts. It seemed to her as she sat in the gloomy silence of the office that the *Bulletin* was dead, past all hope of ever being revived again. She had brought that ruin upon O'Brien in the childish misjudgment of her own capabilities. Burris was right in his measure of her; she was forced to admit it now, bitter as it was to the taste. It was a lonesome game to be good, especially in Victory.

The crooks had been afraid of John O'Brien, but they only laughed and sneered at her, and bought over the one man to whom she looked for help. The scoundrels stood shivering in their boots the night they tried to murder O'Brien, before the public ever dreamed of a break between him and the mayor. But she could not make them tremble, and their mockery was harder to bear than their crimes. For the want of this ammunition of O'Brien's, the facts which he had in hand for building his exposure, she said, her little battle had made a noisy beginning and a pitiful fizzle at the end. She had failed to get under their hides because she lacked the inside facts which nobody but O'Brien could supply. Plainly that was the answer, she told herself in bitterness.

O'Brien's assailant had not been arrested. That he never would be known appeared a reasonable conclusion. Assassins did not turn upon themselves; Mayor Pomeroy was behind it all. So thinking, Marion hung about in the deserted shop, for no reason at all, chewing her distasteful cud of defeat. She knew O'Brien was past danger, but she could not even guess what he would say to the muss

and muddle she had made of his business. Back of all her dread there was a warm feeling of friendship, a memory of happy glimpses of his generous heart. She believed he was too noble to upbraid her for her precipitancy and uncounseled zeal.

It was almost unaccountable, this complete failure of her campaign; bewildering, entirely. What had become of all those indignant people who so lately met and resolved, and forwarded petitions to Washington in protest of Pomeroy's dishonest survey of Victory's streets? Surely all of them could not have become infected by graft, even though Burris, their counselor and leader, had held out his hand to have the balm applied. She did not know how soon such flashes of public indignation cool. She recalled the numbers of these protestants who had been dispossessed, after reasoning it a while. That must account for it in a measure; nobody listened to a landless man. Besides, hundreds of them had moved along to find lodgment elsewhere in the drift of those shifting times. No matter for reasons, ammunition, John O'Brien, or some other force, the effect was plain. She was whipped. Victory did not want to be reformed.

The sun was bright that morning. As she looked out upon it whitening the dusty tents, Marion almost resented its unselfish benignity in shining for all the world when her own little corner of it was in gloom, in the egotistical weakness that is common to us all. Each of us, in his small importance, enlarges his own peculiar woes into universal calamities.

In addition to the troubles and failures in the *Bulletin* affairs, the ghost in the Home Defenders' League had started up to give Marion a new and terrible concern. The dreaded thing against which O'Brien had warned, and

Mrs. Prater had spoken in her frightful illustration, had happened.

The bad element in the league was lifting its hand in midnight raids, thefts, flagellations of the weak. Since the body of the hare-lipped man, who was slain from ambush, was found, several outrages had been suffered by homesteaders, visited at night by masked men. Horses had been stolen; men bound to their wagon wheels and whipped; women driven from their beds into the night.

Captain Scott and the earnest, honest members of the league knew from the beginning where this trouble arose. The hand of United States Marshal Kirk was plain in it, as proved by the fact that all who suffered in the raids of the night riders were former deputy marshals who had repudiated their agreement to relinquish the claims of which they had become possessed through the advantage of sooners. Captain Scott did not doubt there were some traitors in the league who had part in these violent deeds, but he believed the scoundrels were mainly outsiders.

The league patrol made rounds of the neighborhood at night to see who was absent, but without incriminating result. It guarded the roads by night, and watched the homes of those who had incurred the displeasure of Kirk and his organization; still the raids went on in far places against unguarded claims. Invariably they were directed against Kirk's sooner deputies. Many of these men were thrifty, industrious, and honorable in their relations with their neighbors, and were struggling hard to live down the shameful name of *sooner*. Day after day they came to Captain Scott, the stripes and bruises of their midnight encounters on their faces, to beg his protection, even with offers to pay him for immunity from future persecution.

These appeals were mortifying beyond measure to Cap-

tain Scott, who saw they were made in good faith, in the belief that the league was nothing more than an organized band which worked for its members' advantage in hidden ways. He found it as hard to convince these poor cowed victims that they were wrong, as it was to correct the opinion of the world on the outside.

In all their raids the night riders openly announced themselves members of the league. They called on the name of Captain Scott, as if he rode with them and directed their acts, and there were victims ready to swear they had heard him answer, issuing orders out of the dark. The newspapers were making much of this trouble in Oklahoma. Correspondents from Chicago, Kansas City, St. Louis, were already on the ground, sending out long accounts, more picturesque than true. There was talk in Victory of calling the soldiers back to put down the league and bring order into the surrounding country.

Marshal Kirk was away — in Washington, it was said — trying to head off the movement to displace him from office. His chief deputy was waiting his return before taking action. On Kirk's return, it was said, Captain Scott was to be arrested and called to account for his high-handed crimes.

So the trouble, bad enough in itself, was multiplied and given a dress of terror by public rumor, repetitions, irresponsible statements, malicious circulations. Captain Scott assured Marion the league would put an end to these crimes very soon, and drive the traitors who were responsible for them out of the country. Sanguine as he was, she was not quieted of her fears. Now the rumor that her father was to be arrested seemed to indicate Kirk and his outfit had arrived at the end toward which they had been reaching.

It was bad enough to have a dead newspaper on her hands

and conscience, but this trouble threatening her father was deeper and more depressing. While she doubted not that he would walk through it all as big, rugged, and unbent as ever, she was concerned with the thought that they might throw him into the foul and notorious federal jail at Muskogee pending the time of his trial.

There was no reason why she should sit there keeping company with the corpse of the *Bulletin* when she might carry a spark of cheer and comfort to her living, striving father, she told herself, looking out through the open door into the summer sun. Her father would be interested, also, in hearing of the explosion of her reformation balloon. She resolved to take a walk out to the claim, and was acting on this healthy resolution, arranging her hat before the little metal-framed mirror on the partition wall, when Mrs. Prater came. The old lady wore her flapping sunbonnet over her pure white hair, and even the strings of it which streamed behind her in her haste seemed to vibrate with the excitement that colored her face.

"He wants you," said she. "He made me come packin' down after you, whe'er or no."

"What's the matter?" Marion spoke around a hatpin that she held crosswise in her mouth.

"Nothin's the matter but papers," Mrs. Prater returned, out of patience with her charge. "I never seen a man go into such a cat-fit over papers! Huh, you'd think *papers* was all they was in this world."

Marion's heart jumped with new hope. He was able now to bear a hand; ready to give her the needed key to the situation. Maybe there would be no need of suspending publication; perhaps they could get out a paper yet that day. This new train of happy anticipation put her father and the troubles of the league in the background.

"I'll run on," she said eagerly. "Pull the front door to after you; it locks itself."

She found O'Brien sitting up in bed, the copy of the *Bulletin* containing his own editorial attack on the mayor in his hand. That was the paper she wanted him to see first, so his first information of her stewardship would prove her worthiness. The editor was weak, pale, woefully thin. He appeared to be exhausted by the small effort of sitting upright, but he turned his head quickly when she came in, a flush spreading over his pale face.

O'Brien struggled to arrange the sheet around himself as she approached his bedside quickly, a protest against his exertion on her lips. As she stood by him, a supporting hand behind his shoulder, he looked up into her face with an expression little short of terror in his eloquent, gaunt eyes.

"My God, girl! What did you print that for?" he said, his hollow voice trembling in his throat.

"You—you wrote it," she stammered, the color dying from her animated, eager face.

"I wrote it, yes, I wrote it, but I didn't intend to publish it! It was only a bluff—don't you understand?"

"No, I'm afraid I don't," she said.

O'Brien looked at her, his mouth drawn as he pulled it in writing, an expression of censure in his eyes.

"Lie down," she pressed him, pitying his weakness.

"You've ruined me—you've broke me flat!" he said.

"Lie down—you'll undo it all, you'll——"

"No, no—give me the rest of them! Let me see what you've done—let me see the worst at once!"

She brought him the remainder of the eventful week's papers, offering no more to help him, although he swayed weakly as he reached to take them from her hand. Her

mind was in a throbbing tumult; nothing would remain fixed long enough for consideration except his cold, unworthy, unexpected declaration that he had not written the editorial with sincere and honest intent.

O'Brien turned through the papers quickly, with short, despairing exclamations, with groans, with accusing, reproachful glances at Marion from his melancholy eyes.

"You don't know what you've done!" he told her, with slow, severe emphasis.

"I didn't know what I was doing, but I know what I've done," she replied.

She was standing close by him. Her face had grown suddenly haggard, lacking now the animation and color which had enlivened it when she arrived. The long hours and unaccustomed strain of the past days had galled her harshly. She was nervous, racked by a thousand remorsees, assailed by a thousand doubts, but she did not break out with vehement protestations or take refuge from his unfeeling accusation in tears.

"You've lost the city contract for me, you've turned my friends against me, putting your woman's hands into things that didn't concern you, that you didn't know anything about! Why, in God's name, did you do it?"

"I thought I knew," she answered, sadly.

"You weren't supposed to know anything about my business! You should have kept right on the way the paper was going, the way I thought you were running it all the time I've been pinned down here on my back. Well, where are you by this time?"

"The paper has suspended publication," she told him, feeling guilty on more counts than O'Brien had advanced.

O'Brien sank back to his pillow, groaning as if his soul shook the gate and cried out to be released. Marion

believed he was dying. His great eyes were staring, fixed, glassy; his querulously humorous mouth was open, his face as white already as the dead. Mrs. Prater came to the door at Marion's low, sharp cry.

"Run for the doctor—run, run!" said Marion, turning to the old woman in frantic appeal.

O'Brien moved his head on the pillow to bring his great gaunt eyes to bear upon her face.

"Damn the doctor! Send for the mayor," he said.

CHAPTER XIX

THE SOONER GIRL

O'BRIEN was far from dead or dying. He seemed, indeed, to be quite healed, save for the weakness that made him as limp as wet leather. Marion left him in Mrs. Prater's hands, so thoroughly disappointed in him, so entirely disillusioned, that she cared little whether he lived or died.

He had insisted upon her going to the office at once and calling the mayor by telephone; he would hear of nothing but that Mayor Pomeroy be summoned to his bedside without delay. More to be rid of his insistence than with any intention of complying with his demand, Marion started back to the office. While yet a little way from its door she met Reno Johnson, the sooner girl, who stopped when she saw Marion and stood waiting for her to come up, signs of great perturbation in her face. Reno put out her hands in a gesture of entreaty.

"Is he dead?" she asked, her dry lips parted, her anxious eyes staring.

"Not half dead," Marion replied, shortly.

"Oh-h-h!" said Reno, in a long, trembling sigh. She let her breath come and go again, gaspingly, as if she had been suppressing it, or had forgotten to draw it in her suspense and distress. She stood pressing her hand to her side and said again, in lower tone, more like a thankful sigh, "Oh-h-h!"

Marion would have gone on, for there seemed no more

to be said, but Reno put out her hands again in that timid way of supplication and apology.

"I let you have him—I let you take him up there and have him all—without a word," she said, a sad pleading in her weary eyes. "But he was mine first; both of us can't have him."

"Why, I don't want him, you poor thing!" Marion spoke compassionately, taking the outstretched, trembling white hand with the clasp of comfort and assurance. It was a very soft hand, and shapely, for queenly Reno did not bend herself to any heavier task about the Sooner Girl Café than making change.

Tears came into Reno's eyes. "I was going to beg you to let me see him; I thought he must be dying when you went away in such a hurry."

Marion was moved by Reno's anxiety and affection for the unworthy man to whom she had laid such pitiful claim, no less surprised to hear her speak so softly, with the inflection of refinement in her tone and words.

"He's not going to die," Marion assured her; "you can go and see him whenever you want to—you might have been going all this time. But he's in a bad humor right now; I don't think he wants to see anybody but Mayor Pomeroy. He sent me to telephone for the mayor."

They proceeded to the door of the *Bulletin* office; Marion stood with the key in her hand.

"I'll not bother him if he's better," said Reno, heaving away much of her anxiety in a deep sigh. "I suppose he'll be up in a little while now, and back in the office with you."

"I'm not coming to the office any more; Mr. O'Brien's able to look after the paper now. Anyway, he's mad at me—I've made an awful muss of things."

"You gave up your bed to him," said Reno, the hardness of jealousy in her words.

"He was welcome to it," Marion returned, considering what an unworthy burden it had borne.

"Many a woman would; you and I are not alone in what we think of Jack O'Brien. I know the polite way is to deny it, like you've done, but I'm not polite any more; there's no use being polite in the restaurant business."

Reno spoke wearily, as if all the freshness had gone out of life with the necessity of being polite.

"I never had more than a friendly interest in Mr. O'Brien," Marion said, "and I don't believe I've got even that now. I thought he—oh, well, he's only a crook and a grafter, like the rest of them."

"Yes, I suppose he is," Reno admitted in her tired way, "but that don't make any difference to me."

"Will you call up Mayor Pomeroy and tell him O'Brien wants to see him right away?" Marion asked, glad to unload the distasteful task on more willing hands.

"Maybe he wouldn't like it; he sent you," Reno hesitated. Yet the suggestion that she do something for him, even though slight, brought a flush of pleasure into her handsome face.

"I'm sure he'd rather have you do it. Then you might as well go up and see him."

"Let me use the telephone in your office," Reno suggested, eagerly.

Mayor Pomeroy was not in town, and would not be until evening.

"Go and tell him," Marion advised. "Stay with him all day if you want to. Please tell Mrs. Prater I'm going out to father's claim and may not get home till late."

Reno hurried away. Marion sat a little while thinking

what a strange creature she was, and what unexpected candor there was in her way. It was not the unfeeling frankness of boorishness, but rather the bluntness of one who was weary of shamming, and had no more to win by pretending before the world. In a little while Reno came back, so soon, in fact, that Marion hardly believed she had been and returned. She fairly rushed into the office, flushed and furious.

"You knew he'd turn me down—you sent me just to have the laugh on me!" she charged.

"I don't know what you mean," said Marion, rising to meet her.

"He wouldn't let me in; he told that old woman to send me away!"

"I didn't know he'd do that; I'm sorry."

"No, you're not!"

"I didn't know——"

"Let me tell you something before you go on interfering between him and me—let me tell you something!"

Reno stood in the office door, eyes wild, hair flying. Marion drew away from her, afraid her foolish jealousy would carry her to violence. Reno was no longer drooping, suppliant, tired-eyed, sad. She was a blazing fury.

"You used to sit here with him by the hour, and stand by him and let him moon over your hand—you thought I didn't know it, but I did!"

"I don't want him, I tell you; I never did want him."

"Oh, you little liar!"

"If you want him, go and take him out of my house. You're welcome to him and I'd thank you for it."

Reno discredited the offer with a toss of her head. "You don't mean a word of that!"

"All right, then; let him stay there."

"You knew he wouldn't let me in; you just wanted to make a fool of me."

"I think you'd better sit down and cool off, then we'll come to an understanding, first and last," said Marion.

"Yes, we'll have it, all right!" Reno put a threat into her words, although it was evident her anger was falling. She sat down and gathered her fallen hair in bounds.

"You're mistaken if you think I've got any interest in the past, present, or future of Mr. O'Brien," Marion told her. "I've tried to be kind to you today, and do you a good turn to prove I'm not in your road to his heart—such as it is. But you don't seem to appreciate it."

"Maybe I was a little sudden, kid. Pass it up, won't you?"

Reno was more like what Marion had expected to find her when she spoke with that flippancy. She looked at the sooner girl with puzzled face.

"You're a queer girl, Reno."

"Yes, I am," Reno admitted, still defiant. "He was afraid you'd be sore if he saw me in your house—you knew he wouldn't when you sent me up there."

"I'm sorry, but I tell you I'm not to blame. I'm sure he'd rather see you than me—I'm about the last person in the world he'll ever want to see again. He says I've ruined him, and I guess I have."

"Kid, I hope to God you have!" Reno spoke in great seriousness, looking straight into Marion's eyes. "I hope to God you have broke him, down to the last dollar, kid. Then he'll have to come to me, he'll have to come on his knees to me—and I'll lift him and take him in, and start him on his way once more."

"I guess you'll have your wish," Marion told her, sadly. "It's all up with the paper; everything's gone to smash."

"Yes, you got off on the wrong foot in that deal," Reno sighed. "The mayor tried to tell you, but of course he couldn't come right out. There wasn't any politics, or graft, or anything else in it, kid; nothing but me."

"You?"

"They had a fuss over me," said Reno, wearily, as of something oft-repeated and old.

"I might have known!" said Marion, accusingly, her heart feeling as little as a walnut in its shame. "If I'd had as much sense as a cat I *would* have known!"

"There wasn't anything behind Jack's jealousy," Reno declared, pleading for her honesty with her eyes. "I never treated the mayor like anything but a good customer and a friend. But Jack's an awful jealous man."

"Well, this ought to cure him," said Marion, grimly. She was not so sorry now.

"He wrote that piece you published just to bluff the mayor off. He told me he was going to, and have a proof pulled of it and send it to Pomeroy to show him what to expect if he didn't keep away. I told Jack it would hurt my business to lose the mayor's friendship. He said what did he care about my business, anyway? I could shut it up and we'd get married, he said. He used to talk that way right along." Reno sighed over the recollection, a far-away look in her eyes, as if she turned them backward after a hope that had passed.

"Why didn't you come over and explain it when you saw I was going wrong?" Marion demanded, flushing resentfully.

"Oh, what was the use? You wouldn't 'a' believed me, kid."

"I heard them quarreling here in the office one night,

both making threats, but I thought—I didn't have any idea——”

“Of course you didn't, you poor little goose! You're as green as grass and twice as tender. They'd 'a' done a lot of talkin', but they never would 'a' hurt each other.”

“Then who shot O'Brien?” Marion asked, bewilderment over her, seeing the great dark motive in the case, as she had conceived it, drawn mockingly away.

“How do I know?” said Reno, sharply. “Do you think I did?”

“I never suspected you did,” Marion replied, thoughtfully.

“If I knew who it was, this town wouldn't hold him and me with whole hide a single hour,” Reno declared. “I've had my ear to the ground ever since it happened, but I can't find out a thing. Maybe it was somebody he'd had trouble with before he came here. Jack more than likely knows, if he wants to tell.”

“I shouldn't wonder,” said Marion.

Reno looked at her with a funny little squint, quite over her storm of anger now.

“Don't you care for him a little bit, kid?” she asked.

“Why should I care for him?” Marion returned sharply.

“Don't keep harping on that.”

“I guess it's all right,” Reno nodded, in her world-knowing way. “Your pride's hurt. That straightens a woman up quicker than headache powders.”

“You're a queer one,” Marion laughed.

“Yes,” said Reno, rising, preparing to go, “I'm a fish that was trained to swim in deep water and had to go back to the shallow pond where I was hatched. They ought to have left me alone to run wild in New Mexico, where I could have a dirty face and cuss around, instead of sending

me off to the convent at El Paso to be educated. You see how it is now, don't you?"

"Not quite," said Marion.

"We used to have something down in that country one time—what it was and where it went don't matter now. The padre wanted me to be educated to move in the world, Los Angeles, and things like that, you know. He did part of it, and then I guess he woke up one morning and found the barrel empty."

Reno laid her hand on Marion's shoulder. Somehow the other hand found one of Marion's, and thus she stood, silent a little while.

"Mother and I were running a boarding-house in Raton before we came here," Reno said, with a short, hard little laugh. "We fed the greasiest bunch of micks you ever saw. I got tired of it. When this country opened, I pulled out for it. Oh, well—never mind that."

"It will be easier for you here; you're on the corner; your lot's worth a little fortune now."

"Yes, I'm on the corner," Reno thoughtfully replied, "but I've never been able to figure out how it happened. I didn't know they were going to do it till it was done."

"*Didn't* you?" Marion was at no pains to suppress her mocking incredulity.

"In spite of what you thought, think, and may keep on thinking, I didn't have even a little finger in the deal."

"This is a day of mysteries and revelations," said Marion, rising with a new sprightliness. "As far as my interest in him goes, I turn Mr. O'Brien over to you freely. Take him with my blessing, and may you live long and prosper."

Marion laughed lightly as she said it, not a regret now for the disaster she had wrought in the editor's affairs.

It never would have come to him if he had been an honest man, even honest with poor Reno, which she doubted very much indeed. He deserved it all for his cowardice and baseness of heart, and she hoped fervently that he might in truth have to go to Reno on his knees, begging a shelter like an outcast dog.

"There are nicer-looking men than John O'Brien, but there are not many better ones in the world," said Reno, with a grateful, satisfied sigh.

Reno hastened away to attend upon her business, her blindness almost past Marion's belief. Marion did not consider, in her wonder of it, that she, also, had been blind enough, but a little while past, to see virtues in O'Brien where there were only varnishes over a deceptive surface. Marion picked up the few things belonging to her, such as her shears and the little looking-glass on the partition wall, made a package of them and left them on her desk, her intention being to stop there on the way home from the claim and get them, for she was determined to return as a member of the paper's staff no more, come prosperity out of the wreckage as it might. She was on the point of leaving when there came a man through the outer door, within the threshold of which he stopped, and stood turning his eyes in hesitating timidity about the deserted place.

He was a thin, shadowy man with a wooden leg, a blueness in the hollows of his shaven cheeks, a copper button of the Grand Army on his vest. He swung forward a step on his stump as Marion appeared in the partition door.

"The paper has suspended business for a few days on account of the editor being sick," she said.

The veteran removed his hat—a drooping black one,

corded like an officer's—hesitating, inquiring, and timid in his way.

"I come in for a little point of information, and not on any business in particular with the paper," he said. "I always found newspapers good places to go to find out what you want to know."

"I'll do what I can," she said, looking him over curiously as he unbuttoned his vest and brought a pocketbook to view. This he opened, and took from it after considerable groping and assorting, what appeared to be a corner of a business envelope.

"I was wonderin' if you know whether a man by this name settled in Victory, and where I'd find him at if he's here?" He passed the scrap of soiled paper to Marion. She read:

*Return in 5 days to
Justin A. Burris,
Attorney-at-Law,*

the address having been torn away.

"Yes, I know Mr. Burris; you'll find him either at his office or the hotel," she said. "Follow that street to Government Acre, then go to the left."

The veteran's face brightened; a light of eagerness came into his eyes. She thought his hand trembled as he reached to put away the piece of paper, and wondered what there might be in store for Justin A. Burris, attorney-at-law.

"Is he doin' well here?" the old soldier asked.

"He seems to be doing very well."

"I'm glad to hear it, I'm mighty glad! If the Lord ever owed a man a livin' that lawyer's the man."

"Do you know him well?" she inquired, moved by a curiosity behind which there was a dread like an indictment.

"I never met him but once in my life, lady. But that man done more for me in forty minutes than many a one I'd knowed for forty years—yes, he done more for me than Uncle Sam ever done for that leg I left at Antietam."

"Was that—was it since you came here?"

"The day I come, ma'am. Me and my two little gals—their mother's been dead three years and seven months—drove in the day of the rush in a one-horse buggy with our tent in the back of it and a little grub under the seat. We was aimin' to git a home down here, and prospects was lookin' good, for we was along in the lead, when I drove into quicksand over at the crossin' of the Cimarron. My wheels stopped on the edge of it, but my horse was drawed down; I only had time to jerk the harness off of him to save the buggy bein' pulled in and swallowed with him."

"What a misfortune!" said Marion, moved to a sympathy and understanding such as only the tales of the disinherited could stir.

"It was the hardest piece of luck I ever stood facin' in my life, ma'am. Me and them children we laid a hold of that buggy, nearly waist deep in water, and tried to pull it to the bank, for I thought I'd leave them two with it if we could git it on shore and I'd strike off and take up the first piece of land I could find that nobody was on. We couldn't do nothin' with it, and I left it there in the river, settlin' with the shiverin' of the current every minute."

The veteran's sweat broke out in great beads on his bony high forehead at the recollection of that hour of his distress; his breath heaved his chest as if he had only that moment left off his hopeless labor on the stranded vehicle settling in the river sands.

"Lady, there was a hell-hatched sooner on every quarter

up and down the river as fur as a man's eye could see!" he said. "Me, who had been waitin' twenty years for my reward from Uncle Sam, I was wrecked and broke down and shut out from a honest man's chance. That's what I was, ma'am."

Again he stopped to wipe his face, his hat on the floor beside his wooden leg.

"They shut out many a good man that day," she said.

"You're right, ma'am, they did. They shut me out, and I'd 'a' been shut out today if it hadn't 'a' been that the Almighty sent a strong hand and a generous heart to put my one natural foot back on the road that day. There I was, ma'am, quandaryin' around up and down that river bank, my horse drug down and drowned by that time, and my buggy a settlin'. I took to work and carried my tent to the bank and got out some of my grub that wasn't wet, but I hadn't much more than got 'em landed than a sooner come along with a gun and told me I couldn't stay there; that was his land; I'd have to gallop out. That's what that sooner said to me, ma'am, and me an old soldier that fought all through the war. Yes, he looked like he'd been a bushwhacker in his day, that slink-eyed sooner did!"

"That would have been about the size of him," she said, feeling with the veteran's own intensity, suffering with his wrong.

"That's when that lawyer come bustin' through the river, not ridin' his horse and runnin' it into no chance of strikin' the quicksand, ma'am, but *walkin' ahead and leadin' it by the bridle!* That sooner feller he was so tickled over it I could 'a' knocked the daylights out of him if I'd 'a' had a club. I hollered to that feller out in the river: 'Keep below that buggy, stranger,' I says. When he come to

shore he asked me what was up, when he seen them two little gals of mine a cryin' and bawlin'. I told him I lost my horse in the river and the sooners was thicker around me than fiddlers in hell—if you'll excuse the expression, ma'am, which was the only one I could lay my tongue to that done it justice."

"What did he—what did Mr. Burris do then?"

"Ma'am, he took the saddle off of his horse and put my harness on him, and he never said a word, but he went out there and laid to that buggy and backed it away from that quicksand hole like it was a canoe on top of the water. I busted out there to him as soon as I could git my sense picked up and helped him pull it to the bank, and then he hitched that horse into them shav's and handed me the lines. 'Go on,' he says, 'to where you was headin' for.'"

"He *did*?"

"Ma'am, that's what he done," said the veteran, lifting his hand as if to make oath to the unprecedented act of charity.

Marion's throat felt full; tears were brimming over her eyes, running copiously, unchecked, and unashamed down her face. She nodded, not having voice to speak.

"I told him I didn't know where to go; it looked like the country was full of sooners and I was shut out. He says to me, 'That's a good horse,' he says, 'he'll take you out of this river bottom where the sooners seem to be so thick to the pe-rairie uplands that's just as good.' I asked him what he'd do without a horse, hesitatin' like blazes to take it away from him and leave him afoot and alone. He said he come to this country to practice law and didn't aim to take up no land, and he'd head on to Victory and be all right. He says, 'Your flour looks like it got wet,' he says, and I told him I reckoned it was, and he put his hand in his pocket and handed me two dollars—and how he knowed

I didn't have only seventy cents to my name I leave you to judge, but that's what I had, to the dot — and shook hands with me and them children, and them standin' with their eyes a stickin' out so fur you could 'a' knocked 'em off with a board, and he turned around and slung a sack he was carryin' with a little of something in it over his shoulder, and started off.

"I hollered to him and I says, 'Hold on here, stranger,' I says, standin' there kind of flustered with them two dollars in one hand and the lines in the other, and that darned sooner gappin' on like his livers had flew out of his mouth. That lawyer turned and come back a step or two, lookin' kind of bothered, and asked me why I didn't git in the buggy and go on. 'Because I ain't no sooner in my intention or my deed,' I says; 'I'm a white man,' I says, 'and I come from the country where white men grows. I want to know your name,' I told him, 'so I can fetch you back your horse, or if I can't fetch him back, to pay you for him when I'm able.' Well, he thought about it a little while, and felt in his pocket and tore off the corner of an envelope and give it to me. And I looked him in the eye and I says, 'Mr. Burris,' I says, 'if the Lord spares me and prospers me, I'll pay you double what you've done for me in money value here today.'

"Ma'am, he went on, with his sack throwed over his shoulder, and I clum into my buggy and struck a line for higher ground. The last I saw of him he was headin' toward this town through the woods, as big as two men, and more in him than any ten I ever knowed, and I thought he was like John the Baptis' walkin' through the wilderness with the Word."

"Did you locate?" she inquired, softly, her face turned away.

"About fourteen miles southwest of here, ma'am, on as purty a quarter as ever laid outdoors. I sold eighty of it yesterday, for I had more than I could handle with only one leg. I got eight hundred dollars for it from a man that missed out, and I've come here to find Mr. Burris and pay him for that horse. And whatever that horse was worth I'm a goin' to pay him double, cash in his hand."

Marion closed the front door after the veteran, and tried it to see that it was locked, moving through vision blurred by tears. That done, she returned to her desk, her heart riven by remorse, lifted by a great warm surge of tenderness, tossed thus up and down between contrition and joy; and there she sank into her chair and bent her head down to the crook of her arm, and cried.

CHAPTER XX

ONE RIDES FOR HELP

CAPTAIN SCOTT was sleeping outside that night, his little cabin being as hot as a pot. His cot stood across his door, a smudge of bark and chips at the head of it to drive the mosquitoes away. Mrs. Prater had recommended the mixture of bark, chips, red pepper, and tobacco, and vouched for its efficacy. She said it was what they used in her part of Arkansas.

While the smoke was strong enough to discourage, perhaps smother, any individual mosquito which might chance to wing into it, as the drift of it which now and then settled over Captain Scott's face seemed to prove, it could not fill the spacious night, of which the pests had possession. Added to the discomfort of mosquitoes, and the ineffectual remedy against them, was the heat, such as comes only in those human-racking summers where the corn grows best. It was still and cloudy, a night such as people lie through in steaming suffocation, tossing on sweat-soaked pillows, to rise at dawn weary and unrefreshed, glad to have the struggle over.

Captain Scott had dipped into sleep but intermittently and lightly when the sound of a hard-ridden horse brought him up to his elbow, listening. He wondered who could be riding in such haste on a horse-killing night like that. Then it flashed to him that the raiders were out again, and this was somebody coming for help.

The rider drew up before the gate presently. Captain

Scott could hear the horse breathing, and see a dim white spot where the rider's garment glimmered in the dark.

"Who's there?" he called.

"Help, Captain Scott! Oh, they're killing him!" It was a woman's voice; her words were broken and frantic. She was shaking the gate now, crying. Captain Scott ran to her, half clad as he was and in his bare feet.

"Who is it?"

"It's Mrs. Remley — they're killin' my man!"

"Mrs. Remley?" Captain Scott repeated, not able at once to recall any neighbor of that name. He remembered presently that the sooner who had beaten him out of his claim was called Remley. This woman must be his wife. Captain Scott did some hard thinking for a few seconds while he swung the gate open as if to allow her to enter. The woman clung to her horse, sobbing out her appeal for help.

"There's three of them — not league men, I know they're not league men! They'll murder him, Captain Scott, if you don't stop them!"

This was the woman who shot at him as he sat on his horse that unforgotten day beside the sooner's plow. She was there, before his gate in this night hour of her distress, just as she had sprung from her bed and escaped, appealing to his mercy, crying out for his aid for the cowardly sneak who had slipped in ahead of honest men to rob them of their due. But Captain Scott did not stand long revolving the marvelous ways of Providence in his mind, or linger to turn in satisfaction the decrees of inevitable justice.

"Blow your horse a minute, then start back; I'll overtake you," he said.

He ran to the stable where the brown mare had been dozing in her stall. She was alert and nervous, as if she had heard

all that passed at the gate and understood. She gave him a little whinny of relief and greeting as he came in. He did not wait to saddle or bridle her but, clad in trousers and nightshirt, barefooted, his revolvers slung in the shoulder-holsters in which he carried them in the old Kansas days, he mounted and rode to the sooner's help.

Remley's claim was something more than two miles distant from his own, the road between them being just as nature had made the land, little used, a strip of prairie grass between the wire fences. He did not stop to question the woman's sincerity, or ask himself whether she might be leading him into a trap. It was sufficient guaranty for him that her necessity had driven her to the last man of whom she would, of choice, ask a favor.

The woman was well mounted, and was riding her horse unsparingly. He could see her ahead of him, and beyond her the black line of trees along the river against the lighter sky. He urged his mare on at her best, for he wanted to overtake and stop the woman before the noise of the galloping horses gave the alarm to the raiders who were administering Kirk's vengeance upon her husband's back.

"Go easy," he cautioned, drawing up beside her, laying hand on her rein. "We don't want to scare them away."

Mrs. Remley was riding her barebacked horse astride, gripping its sides with her bare legs. He admired her courage, wondering how the desperate wife had escaped the rascals' hands.

"There's the lantern—do you see it?" she said.

Captain Scott saw the light twinkling among the trees which stood thick around the sooner's house. He stopped his horse to listen, holding her bridle to restrain her from riding on in her desperation. There was no noise.

"They've done it; they've killed him!" Her voice fell

in an expression of empty hopelessness; she began to cry.

"Maybe not; I don't think they'd go that far. Here—tie the horses in the trees over there, then come along after me and wait where you can't be seen till I call you."

"They're robbin' the house—look at them in there! They've done it, Captain Scott—they've killed my man!"

Dark as her moment was, the woman did not raise an outcry as Captain Scott feared she might, and put not alone her own life in danger but frighten the skulkers away. Only a stifled sob, a little whine of fright and pain, came from her where she stood between the horses' heads. She went resolutely to carry out his instructions about the horses; and he turned toward the lantern which bobbed in and out among the trees.

The raiders were searching Remley's house for money, turning his poor possessions out on the floor. They had ripped open the bedtick; the feathers clung to the dark flannel of the night riders' shirts like snowflakes. The men were masked with cotton flour sacks drawn over their heads like the hoods of the Ku Klux. These had eyeholes cut in them, and crude streakings of black paint to represent mouths and noses and make their aspect more terrible. Captain Scott approached within a few feet of the open door, inside of which the three of them were busy in their search. They were cursing and muttering.

"He's got it; I know he's got it," said one. A strange voice; Captain Scott did not know the man.

"Bring him in here and hold matches to his toes and he'll tell in a hurry," suggested another, at the sound of whose voice Captain Scott drew a step nearer the door, pressing himself flat against the wall.

"I wonder where that woman went to?" said the third,

kicking bedclothes and ripped feathertick as if he expected to find her hiding under them.

And that was not the voice of a stranger. Captain Scott drew back to the corner of the house as they came to the door with the lantern, waiting his moment.

"Bring him in," said the first speaker, "and git a hump on you. Maybe that woman's gone for help."

Two of them went to a wagon which stood in the yard a few rods from the door. Remley was tied to one of the hind wheels, his face toward the spokes, his arms stretched across the diameter in the manner of one crucified. When they lifted the lantern to undo his bonds, Captain Scott saw that his bare back was striped and cut from their lashings. Blood was running from the sooner's wounds; when they untied the ropes at his wrists he sank to the ground with a groan.

"Git up!" The raider enforced the command with a kick that crunched against Remley's naked ribs. But the sooner's torture already had been applied beyond the endurance of man. Captain Scott saw that he either was dead or unconscious.

The two with the lantern bent over their victim, talking hurriedly, low, in sudden concern. It was evident they realized the thing had been carried too far, and were afraid of the consequences. They called the man from the door, who appeared to be the leader. As the three of them gathered around the unconscious sooner's body, Captain Scott drew his revolvers and crept softly out of the shadow of the house.

"Put up your hands!" he ordered, his voice so near that the two who recognized it jumped as if they had stepped on live coals. One of them screamed in his sudden fear like a startled woman.

The lantern stood on the ground beside Remley; the stranger among them made a kick at it, trying to knock it over, as his hands shot above his head at Captain Scott's command. He missed the lantern; before his foot struck the ground a bullet from one of Captain Scott's big revolvers smashed his ankle. The fellow tumbled down in a pile as if he had been struck on the head by a club.

Captain Scott cautioned them to keep their hands well away from their weapons, drawing nearer to enforce the warning. He called Mrs. Remley; she came running from behind the house.

"Get the lantern and take their guns off of them," Captain Scott directed her. She obeyed without a word.

"Jerk the sacks off; let's see their faces."

Mrs. Remley began with the wounded raider, who was nursing his shattered leg, groaning like a sick horse.

"I don't know him. Do you?"

"No," the woman replied in trembling voice.

"Jackson," said Captain Scott when she unmasked the next man; "I knew you when I heard you speak. And you, too, Sherman—I recognized both of you. Pick Remley up, you two, and carry him to the house."

The two frightened men, both of whom were members of the Home Defenders' League, staggered after the sooner's wife, who hurried ahead of them with the lantern, bearing the man whom they had beaten to the point of death, if not beyond it, between them.

The fellow whom Captain Scott had shot was suffering from his wound.

"Do something for me, pardner!" he begged.

Captain Scott did not answer him. He gathered up the revolvers which Mrs. Remley had taken from the men and carried them with him to the house, leaving the raider

sitting in the gloom, weaving back and forth in his misery.

Remley was not dead. Under his wife's ministrations he began to revive, and his first word was a curse against Captain Scott and the league.

"Shut your mouth, Abe, you fool!" his wife reproved sharply, her fear for him quieted with this assurance that he was not dead. "Captain Scott saved you; they'd 'a' burnt you alive by now if it hadn't been for him."

Jackson and Sherman, the two traitors in the league, were standing where Captain Scott had posted them, at the end of the room farthest from the door, their backs against the wall. Remley's wife gave him water; his teeth chattered on the cup when he drank, as if he had a chill. His eyes were bloodshot, like those of a man one sees rise up unexpectedly out of the anesthetic at the conclusion of a surgical operation.

"You can have the dam' claim; I don't want it!" Remley said, fixing Captain Scott with his red eyes. He heaved himself to a sitting posture. "If hell's got anything worse in it than you've give me tonight, I hope they'll save it 'specially for you!"

"Lay down, Abe," his wife begged, her gown bloody where she had held him in her arms.

Captain Scott spoke to him, pressing his back gently to the pallet Mrs. Remley had spread for him on the floor. Then the captain motioned Jackson and Sherman forward, indicating the door by a nod. As he followed them, Captain Scott drew his revolvers, throwing a muzzle against the back of each.

"Go to the wagon where we left that man," he directed.

Jackson, who had volunteered for patrol duty that night, believed he was about to be settled with summarily for his

treasonable offense. He began to beg and plead, as thorough a coward as ever rode at night. Captain Scott gave him neither hope of promise nor ease of explanation. His only reply to the half-tearful appeal was a sharp ram of the pistol barrel into the fellow's back.

The wounded man was not where Captain Scott had left him beside the wagon. A hasty search failed to discover him anywhere. Captain Scott knew it was quite possible he had crawled to his horse and escaped. Further investigation proved this to be the case; only Jackson's and Sherman's horses remained where they had tied them.

"It doesn't matter much; he was a stranger," said Captain Scott. "There's no charge of treason against him."

"For God's sake, don't shoot us down like dogs!" Sherman appealed. "I've got an old mother back in Ohio I'd like to see once more before she dies."

"I've got a wife and children in Missouri," Jackson pleaded as they stumbled ahead of Captain Scott through the dark, hands straining high above their heads.

"This will be far enough," said Captain Scott. "I expect you'll want to pray, for that's something a coward always puts off to the last. If you do, get down to it, and make it short. Don't waste any more breath pleading with me; it'll not do you any good."

"Let me off for my old mother's sake, Captain Scott!" It was Sherman, a big man with a voice heavy enough for a hero. It shook now, and clogged in his throat.

"A man like you remembers his mother about the same time he thinks of his God," Captain Scott rebuked him sternly. "That's the last word; when you're through, stand up."

The two men went down on their knees. Jackson prayed aloud, uncovering his guilty soul. Sherman reached the end

of his silent supplications first; he stood waiting when Jackson staggered, sobbing and choking, to his feet.

"That was once in your lives you made an honest prayer!" said Captain Scott. "I reckon you're both better off for it, too. But I'm not going to hurt you; I'm not even going to cut your ears off. You've got till daylight to clear out of this country, and leave everything you've stolen behind you. If you're here when the sun comes up in the morning, you'll swing; if you ever come back, you'll swing. Now, hop your horses and light out — and go fast."

Captain Scott stood listening as they galloped away. When they were out of hearing, he turned back to the sooner's door. Remley was smarting from the lashing that had cut the skin of his back in shreds; his head and body were throbbing from a hundred bruises, but his mind was right on the situation now, thanks to the explanation of his wife. He held out his hand when Captain Scott entered to inquire how he felt.

"I'm a brin'le houn', Captain Scott; I ain't fit to lick the tracks you make in the road," he said.

Captain Scott was greatly embarrassed by the man's self-abasement. He laughed a little over it, and tried to turn Remley's thoughts into another channel. But Remley understood his debt, and he was man enough to try to pay it.

"I beat you out of this claim, underhanded as a yeller dog," Remley went on. "Kirk and them fellers wanted it — you know that. I got this larrupin' tonight because I wouldn't give it over to that crowd from Texas. I don't blame you for pickin' it out years ahead and ridin' like a hummin'-bird to take it up; I can feel the feelin's that must 'a' been yourn when you rode up here that day and found me a plowin'. I can feel that, mister, because this here claim

it's took a hold of me like a little baby girl we used to have hung onto my finger and toddled around."

The sooner passed his hand over his eyes when he spoke of the child. His wife, rocking in a low chair which told its own story, her head bowed in her hands, uttered one long, shivering sob, as if her heart had been torn with it out of her breast.

"I wouldn't relinquish to Kirk and them fellers when they come after me to carry out my bargain, but if the Lord lets me see the sun come up in the mornin', and a commissioner can be fetched in here to take my hand and seal, I'll relinquish to you. Nannie and me we've settled on doin' that. This claim's yours by rights, and you've got to take it back."

Captain Scott was moved deeply by Remley's offer. He stood silent for the want of words a little while, but he took the sooner by the hand as tenderly as the little child who used to cling to him, and shook his head in refusal as he gripped it with the message of heart to heart.

"Keep it. I've got a good claim now; I'm satisfied. Everything shaped up for the best that day, no matter what we thought at the time, or afterwards. Go ahead with your work here, make a home out of it like I'd have made, and be happy in it. That's all there is to say."

Mrs. Remley lifted her tear-wet face and blessed him, and went with him to the door.

"I'll go for the doctor on my way home," Captain Scott said. "I think he'll have to do a little stitching on your back."

"I reckon he will, Captain Scott," the sooner agreed heartily, and happily, too, it seemed, for a man so ill-used as he. Perhaps because his heart was purged of the dark thing that had been clinging to it all those weeks. A sore

back is a small price to pay for a healed conscience, any day in the year.

"Them men—maybe they'll come back; we didn't hear any shootin'," Mrs. Remley said, struggling to express delicately what both she and her husband had wondered over while Captain Scott was absent with the night riders.

"No, I didn't shoot them," Captain Scott said, smiling. "I let them go, but they'll never trouble you or anybody else in this country again. Jackson remembered he had a wife and children in Missouri, and Sherman's heading for Ohio, where his mother lives."

The short summer night was nearly spent. Morning's blue was coming into the sky when Captain Scott rode away from the sooner's place, sadder for what he had seen that night, for what he had been compelled to do, yet lifted by a feeling of renewed justification in his life-long belief that a man must debase himself to the uttermost before the spark of divinity in him is smothered entirely and extinguished from his soul forever,

CHAPTER XXI

A SUMMONS BY NIGHT

JIM TIMBERLAKE was working at times on the construction of his new house, with long intervals of rest between the fits of activity. This was due to Jim's revenues being lumpy and unequal from day to day. When he got a "gob of money" as he called it, the hammer sounded by lantern in the night.

The night following Captain Scott's adventure with the night riders was one of Jim's spells for relaxing in the pleasant art of carpentry. His whistle sounded above his hammer as he worked, so cheerily that Marion left her doorstep, with Mrs. Prater on it, and went over to view the progress of the work.

"Well, land o' lightnin'-bugs!" said Mrs. Timberlake, affecting the most genial surprise, "you're a plumb stranger. I ain't a goin' to ask you to come in, for things is all whirled and shot over ever'-which-ways. Set down; let me dust off that cheer first, though — Budsey's been up on hit with his feet."

Jim suspended work to talk, which he was ready to do at any time, no matter how pressing the occasion from the viewpoint of folks who worry and sweat along. He sat on a nail keg, sighing contentedly, roving his eyes in pride over the low roof of his unfinished house. Mrs. Timberlake always preferred sitting on the ground, so she'd be nearer to it, she said. She curled up her legs and switched them out beside her in a manner alarming to behold for

the first time, and sat on an old bed quilt that Budsey had been using for a tent.

"I ain't got the back of the house in yit," said Jim, which fact was obvious without explanation; "but they ain't no rush about that; I've got till fall to make it."

"Yes, but you want to hurry and git that roof done," Lizzie advised, nodding with her pipe in her mouth, sowing powdered leaf tobacco over her skirt, for she had not put the match to it yet.

"I'll pop it to 'er tomorrow evenin'," Jim promised, as happy as a squirrel.

"I don't mind so much not havin' a side in the house, 'specially in the back," Lizzie said. "A body can go in and out anywheres along and not have to bother with a door."

Marion admitted this arrangement of a house must have its advantages at times.

"Yes, 'specially if a body's runnin' out to pour water offen the taters and the han'le of the pot's hot."

"We hang the wagon sheet and a couple of blankets over that side at night," Jim explained, to let it be known that the privacy of his house was not always left thus open to the passing eye.

"The chillern just flop down anywheres, anyway; they don't need no more house in the summertime than chickens," Lizzie said, smoking in perfect enjoyment.

It was dusk. Jim got up, placing his hammer on a beam high out of Budsey's reach.

"Well, I guess I'll call it a day's work," he said, putting a pride and admiration for his own deeds into his words which made one think well of him to hear. "I reckon I'd better throw them horses some hay to whet their teeth on along in the night."

Jim always announced his intention to perform his humble tasks in that open and confidential manner. Trivial as they were, to him they were important, for the sum of such little matters made up the total of his life. There was nothing bigger in it than chores and jobs; there never had been; there never would be. He limped off toward the back of the lot where his team stood hitched to the wagon wheels, as it had stood in all kinds of night weather all spring and summer, as it would stand through all the seasons as long as its endurance might hold. Jim's daddy didn't build a stable for his team; there was no historical precedent for that expenditure of labor and material in the family, anywhere.

Budsey went along with him, holding to his pappy's hand, looking up into his face with all the admiration his white-blue eyes could express. Jim was as great a man to Budsey as any father is to his little boy, and filled just as much of his little world.

"Lucy Lee she works till the up-train comes now," said Lizzie. "She gits a dollar a week extry."

Marion made mention of Mr. Noss, with an inquiry on his intentions.

"Huh, that feller!" Lizzie grunted in high disdain. She smoked along a bit without further explanation. Then: "He ain't the kind of a man Lucy Lee takes to; he's too kind o' blue around the gills. Anyway, folks always feels kind of creepy when a feller's around that makes his livin' in that business. Lucy Lee she got so she was plumb shivery at the sight of him—she-e-e—had—to—stop waitin' on him he made her so shaky, sure as livin' mortals she had to. She says his hands is as cold as a corpse."

"Why, I thought they were going to be married," said Marion, genuinely surprised.

Lizzie chuckled, snorting through her pipestem until a little eruption of sparks threatened her greasy dress.

"He wanted to kiss her one time," she said, chuckling over the recollection of the undertaker's amorous spell. There the humor of the situation that had confronted Lucy Lee got beyond control; she had to remove her pipe to laugh. It came out of her quite merrily, with a youthful shrillness and vigor. "She said she'd just as lieve kiss a dog on the end of his cold nose; that's what Lucy Lee told *him*."

"Oh, well, there'll be others," Marion said.

"She's a teeterin' between two of 'em now"—Lizzie was quite serious over this situation—"not able to make up her mind which one she favors the most. One's a fireman on the railroad. He looks right peart and nice when he warshes up and parts his hair. The other feller's boss of the steel-gang, a great big double-fisted, narry-faceted man with a murshtash stickin' out from under his nose as big as a bun'le of wheat. Both of 'em's good men, able to make her a fine livin' and give her a good home, but she's daddlin' betwixt and between 'em like a little gump. I tell her to shut her eyes and grab."

As they sat in friendly converse, the whooping of the children at play around the wagon animating the falling night, Marion saw two foggy figures approaching across the vacant lot adjoining the Timberlake demesne. There was something familiar to her eye about them, although the gloom lent uncertain proportions and indistinct outlines. They stopped while yet some distance away from the Timberlake skeleton of a home, and drew together as if in consultation. Presently the taller separated himself from his companion and came on.

It proved to be Charley Akers, as Marion had thought, for even the night outline of him had its familiar points.

The nature of the business he had been deferring so long was sufficiently illustrated in his bearing. He weaved on his legs like a man in a boat as he made polite inquiry for Jim. Jim arrived in time to relieve the situation of embarrassment.

"Jim, old friend Jim!" said Charley warmly, almost sentimentally, as he shook hands.

"What can I do for you, Charley?" Jim wanted to know, politely anxious to send the visitor off about his befuddled business.

"Old friend Jim, I come as the dove of peace, am-bass-a-dor of brotherly love and affection on earth between man and man," Charley said with tipsy importance.

"I don't git what you're drivin' at, Charley." Jim scratched his beard in perplexity. Marion could see from his bearing that he was shame-faced and bored, but too much of a gentleman to bustle the irresponsible old printer away from the family circle with harsh word or hand.

"You've had past differ'nces with a good little man, Jimmy; two good little men had differ'nces with each other—both of 'em had differ'nces one another—see? One of 'em man of high attainments; the other one a master of divine music on the fiddle. Ain't that right, Jimmy?"

"Charley, you're the beatin'est old feller I ever seen," Jim laughed, not even dimly gathering the meaning of the visitor's words. "Here, set down and rest yourself, and talk United States or Arkansaw. Them's the only two languages we understand in this camp."

Charley managed to settle himself on the nail keg with considerable balancing and spreading of the arms, as if he approached it on an aerial wire. Marion, not a little diverted, yet ashamed for the debasement of those gray

hairs and that kindly intellect, turned from him to further assist night in hiding her identity.

"Am-bass-a-dor of peace," Charley repeated, extremely careful with the word. He spoke reflectively, his head bent, as if fumbling for the thread of his broken message. "My friend Ed wants to forget and forgive, extend the hand of fellowship and peace on earth. He's a good little man, Jim; Ed's got religion."

"The same kind you've got, I reckon, Charley," said Jim, a shading of sadness in his tone.

"Same kind, ex-act-ly same kind, Jimmy," Charley declared with comfortable enthusiasm.

"Paid some bootlegger a dollar for half a pint of it. Well, I tell you, Charley; if your friend wants to talk business and peace and matters and things over with me, tell him to come around straight and sober. Now I think you better trot along."

Charley got up in unstable dignity. "Do you refuse the hand of fellowship and peace on earth?" he demanded, sternly.

"Come around in the morning, Charley, and we'll fix it up." Jim was polite, but nervous. The children had come up from their play; they stood around their father in a silent, listening group.

"Never will I come in the morning," Charley solemnly declared. "Nevermore will I come as dove of peace. You have drawn the sword—" Charley drew one himself in pantomime—"let blood flow! Let these children weep for the father that spurned dove of peace."

"Watch out where you're goin'!" Jim cautioned him sharply.

Charley had turned in the blindness of his liquored fierceness and was heading straight for Mrs. Timberlake, who

was obscure against the ground. She got up and out of his way hurriedly, and Charley marched on toward the point where the deepening night had closed around the form of his peace-seeking friend. A little way along Charley stopped, turning to face them again.

"Consequences will be terrible, Jim!" Charley was almost tearfully solemn. He came back, declaiming as he approached. "Let blood flow! Who will bind the wounds of heroes, who will console widows and orphans when——"

Charley's toe caught the quilt on which Mrs. Timberlake had been sitting; he clutched that estimable lady to save himself a fall.

"Go 'long, you old slamfoot!" Mrs. Timberlake gave the dove of peace a rude push as she addressed him in this inelegant language. She was bracing herself to follow it up with even rougher usage when Jim interposed, taking Charley in hand. He faced the old printer in the proper direction, guided him along his way a little, and left him with low words of caution and kindly reproof.

"What do you reckon they'll do?" Mrs. Timberlake asked, concerned over Charley's figurative allusion to sword and blood.

"I'm afraid they'll get drunker if they've got any money left," Marion told her. "They're only two foolish old children."

"Well, I know what I'll do," Jim announced, as he came back from piloting Charley to the street; "if I ever ketch that painter on top of any forty-foot ladder I'll drive m' wagon ag'in it, b'jigs!"

"Oh, if the pore feller wants to make up and be friendly, why don't you let him?" Lizzie proposed.

"I'll friendly him the first time I lay hands on him! Yes, and I'll open that feller up like a can of oysters!"

It was notable that Jim grew fiercer in this threats as the chance of carrying them into effect grew smaller. By this time he knew that Charley had taken Ed beyond hearing, and Jim began to rage properly, as became a father of children who had been called upon to weep his bloody end.

"I'll shave that feller with a ax the first time I can ketch him, and I'll make him a collar out of a red-hot wagon taar! Dang his fat swashes! sendin' that old Charley around here full of juniper juice to talk to me! I'll bust his jaw bone with a wagon spoke if I can ever git nigh enough to him to reach him."

"Why, he was waiting right over in the lot all the time," Marion said, amused by Jim's bluster.

"Why didn't somebody tell me?" Jim demanded, starting up fiercely from his keg. "I'd 'a' laid him out, I'd 'a' smashed him like a tick and built a fire over the place to dry up his grease! Dang him, I'm a goin' after him; I'm a goin' to git m' old blade an' clean him up!"

Lizzie, knowing this to be her cue for preventing Jim's great bluff ending in a fizzle, and his reputation as a fighting man suffering as a consequence in the eyes of the family, caught him by the suspenders as he started off to fetch his corn knife from the wagon. Jim made out as if he struggled. He protested, he demanded to be freed; he laid commands on her, and leaned forward with the greatest confidence in his suspenders and his buttons, and the thread with which they were sewn. It came to an end by Jim yielding with a hopeless sigh, and resuming his keg.

"Laws o' mercy, I never seen such a fool feller as you!" said Lizzie. "You want to end up your days on the gallers, don't you?"

"I never was born'd to be hung," Jim denied, with confidence in his destiny.

Marion believed that if such disgrace were contingent upon the violent removal of Ed Courtney from the world's activities, Jim was quite right in his contention.

"Well, you'll take a road you never was aimed for then if you keep on this a-way," said Lizzie, speaking her part as if she had played it many a time before.

"Ya-a-a, let him go this time, then. But I'll fetch his hide home if he ever fools with me."

With that Jim gave it up. In a little while he was holding Budsey, humming a tune to soothe him to sleep. The girls stole away silently, to "flop down" somewhere within the cluttered, half-finished house. Jim carried Budsey in presently, coming back as light-hearted as if he had put down his last care in life with the sleeping child.

"I noticed a pack of stranger-lookin' fellers around the Sooner Girl Caffie this evenin'," Jim said. "They was Texas-lookin' fellers with guns on 'em, and I wouldn't wonder they'd be cuttin' loose tonight throwin' lead around careless amongst these here tents."

"Land o' whillakers! I hope they don't." Lizzie was disturbed. She got up and looked about in the dark, leaning and peering, as if she suspected the Texas-looking men might be standing around with their notorious guns in their hands.

"Maybe they're cowboys from the Strip," Marion suggested.

"No, they ain't Nation cowboys," Jim dissented; "they're Texas men. I can spot a Texas man as fur as I can see him. Well, they won't hardly wander this fur from the depot."

"I hope they don't go botherin' around Lucy Lee when she's comin' home."

"That steel-gang boss he'll be lookin' out for her; he

can mow his own swath, old lady." Jim's admiration for the steel-gang boss was great. It rose up in him tinting his words richly, and left a comfortable feeling in him that he gave expression to in a little humming tune. Suddenly he stopped. Marion saw him lean forward, resting his arms across his thighs in listening attitude.

The early sounds of the town were rising, pianos going on all quarters. For in almost every house and tent where there was a daughter to be married off there stood a piano in the corner to assist her in exercising her charms. Numbers had made the run with their instruments in their wagons; those who had come unprovided had been supplied since by the active agent of an instalment music store. In Victory pianos had passed from a fashion to an affliction.

"No, I don't hear no shootin'," Jim said.

"Maybe they won't," said Lizzie, drawing her breath in relief.

Jim turned to Marion. "I heard 'em say this afternoon a committee of some kind or other that Burris has been workin' for was comin' here from Washington to look into and investigate the complaints settlers has filed ag'in sooners."

Marion started from her abstracted listening to the city's noises. Again she saw the vision of a great rugged man rise high above the petty strife of that tumultuous land, and spread his hands as if to command peace out of its contention. Why she had lost sight of Burris and his destiny for one forgetful, willful hour, she could not understand. Silently as water at the foundation of a doomed structure this man had worked, laughed at or ignored at the beginning by such men as O'Brien and Pomeroy, but hated and feared by them as his silent power grew. It was

significant that the *Bulletin* never had printed the lawyer's name.

"It must be the congressional committee that's coming to investigate our demand for territorial organization," she said.

"I don't know. I only heard 'em say at the depot it was in the *Kansas City Times* that come down on the train."

"Did the paper say when the committee was expected to get here?"

"I don't know; but I heard some of them fellers sayin' the grafters'd be makin' a cut for the brush. I ain't got no kick to make, though; the grafters pays me good money; I ain't got no kick to make ag'in matters and things here in this man's town."

Marion sighed. Even this easy-going man, who was as honest in his heart as the open day, had no scruple against profiting at the hands of those who fattened in Oklahoma on their peculiar thrift.

Somebody was stumbling toward them; Marion could see head and shoulders rise against the skyline as the person came up the slope. Now the visitor or passer-by, or whatever he was, struck a pile of Jim's lumber and sent the planks rattling. Jim hailed to know what was wanted, a little shake in his voice, having in him a thought of the Texas men.

"Can you tell me where a Missis Scott lives around here?" the man inquired.

"I'm Miss Scott," Marion answered quickly, going to meet him.

"This for you, then. I've been bustin' around here in the dark no tellin' how long lookin' for you."

The speaker presented something white, which proved on touch to be an envelope. After delivering it into Marion's

hand, the messenger hastened away, with no explanation, and as if he feared to be questioned. Marion's heart was laboring in painful foreboding as she excused herself and hastened home to read the message, if message it might be.

Mrs. Prater had left the lamp burning in the kitchen, where Marion's cot, which she had slept on during O'Brien's occupancy of her room, stood white and virginal in its modesty against the wall. She turned up the wick with trembling fingers and opened the unaddressed envelope. It contained two lines of penciled writing:

Hurry to the *Bulletin* office and wait for a telephone call.
Turn on the lights when you get there. — Reno.

It seemed an unusual and unnecessary thing to request. If Reno had anything to communicate to her, why couldn't she have come? Marion hesitated between ignoring the request and hastening to comply with it at once. Mrs. Prater's advice would have been dependable in such a matter, but the old lady was in the other room with her patient, who was asleep by now. Marion decided she would not disturb her.

Marion bent over the note again, studying it closely. At the worst, there could be little danger for her in following out its instructions. She hesitated no longer. The revolver that she had carried when she drove the team into Oklahoma hung on the kitchen wall. She buckled it around her waist, turned the light low, and hurried away to the *Bulletin* office.

CHAPTER XXII

TEXAS MEN

MARION hesitated before the door of the newspaper building, which stood silent and dark in the early night, entering at last in trepidation, her heart racing out of all control. Leaving the front door standing open to assure an unimpeded exit if flight should be necessary from some unseen danger awaiting her, Marion moved softly to the editorial room before turning on the light with trembling fingers.

She stood debating on whether to pull down the curtain of the window near O'Brien's desk or leave it up for Reno to see that she had arrived, when the telephone rang. Reno was on the wire, true to her word. With the first low, cautious word, little more than a whisper, Marion's heart leaped away from the terror it had pictured and strained eagerly with the surge of a new, indefinable fear.

"Kirk's here with five strangers," Reno said. There she broke off to speak aside to somebody who seemed to question her; Marion could hear her light bantering reply. Then again to Marion: "They're going out to arrest somebody on a claim, no names mentioned, but you know who." Again Reno spoke aside from the telephone, laughing as if to dismiss somebody who teased her.

Marion's face was cold; her racing heart seemed to falter and stand still. "Reno!" she appealed, in tremulous whisper; "tell me—hurry!"

"Are you there, honey?" Reno inquired, and Marion

heard a voice in the distance repeat the word, "honey," with ribald laughter.

"Yes, Reno." Marion pressed the receiver to her ear until it hurt, afraid that she might lose one precious word of the message being delivered to her under such great difficulties.

"The scheme is to kill him for resisting arrest—they don't want to arrest him, they don't intend to. Do you understand?"

"Yes, Reno, I understand!"

"They'll be here a while longer—I'll slop them up with booze and try to keep them till you can get word to him; but you'll have to hurry, kid."

"What—who can I——"

"Burris," Reno whispered, "call him up. He's the only man in Oklahoma they're afraid of; he can help you if anybody can. All right, honey." The last words came in Reno's full tone, as if spoken for the benefit of somebody near at hand. Marion would have answered, but there came the sound as of a scuffle at the telephone, with short, sharp words, and Reno's light laughter. Marion strained and listened, wondering if Reno had any more to tell.

"Who're you talkin' to?" she heard a voice ask, faint and dim. Reno replied with some light word. "I'll find out," the man's voice declared. As well as if he were in the room, Marion knew the voice for Bass Kirk's. He called rudely into the telephone; Marion hung her receiver up softly.

So that was why the Texas strangers were in town. It was a piece of work too big for Kirk to tackle with local assistance, or one in which he would not trust them. He had brought his own crowd from Texas, and they would go back there when the deed was done, leaving nobody to talk.

Marion understood the plot to its shallow bottom. Captain Scott must not be there to give damaging evidence before the congressional committee when it arrived. By taking his life on the pretense that he had resisted arrest, Kirk would at one stroke remove one of his strongest and most dangerous enemies, and throw a cloud over the reputation of Captain Scott. From the hour of his death Captain Scott would be counted an outlaw, and the taint would extend to the league to its discredit and downfall.

But what could Burris do to stay the last stroke of the cowards' conspiracy? Big as he was, brave and manly as she had no doubt he was, he was but one man against six desperate, lawless, whisky-maddened men. Besides, he might not be inclined to interfere with federal jurisdiction, no matter how murderous the hand that directed it that night. The one thing to be done, while Reno held them in the lure of the bottle, was to hasten herself and warn her father, asleep that hour in his lonely little cabin.

She turned to the telephone to order a horse from the livery stable, pausing with her hand on the bell crank to consider whether it would not be wiser to start immediately on foot. Either on foot or a horse, somebody might follow her, their suspicions aroused by Reno's talk, so rudely interrupted by the suspicious Kirk.

It seemed to her that she was wasting her life's last precious hour, yet a few seconds, only, had passed since Reno's last word. It was an exigency in which every throb of time was like blood wasting from a severed artery. The night seemed to bristle with a thousand threatening terrors, against which her own strength might struggle unfelt. She turned again to the wall where the telephone hung, determined to call Burris, whom she had so lately condemned and unjustly accused. She suffered a recurrence of the

contrition and humiliation which had tortured her since the one-legged old soldier gave her the clear, true light upon the lawyer's heart and conscience. Apart from Burris there was no man among the scores she knew to whom she could turn on that mission save old Jim Timberlake. While Jim would be willing enough to say he would go, she knew he was only a coward in his poor old simple heart, and might turn back at the first imagined danger upon the way.

She called the hotel. It seemed that the clerk was very slow and apathetic in going to see if Burris was in his room; she could hear his deliberate steps retreating, and his voice chaffering with somebody as he went along. After a long wait, Burris answered. Marion's voice trembled as she replied:

"This is Marion Scott. I want you, please Mr. Burris, to come to the *Bulletin* office at once on a matter of the gravest and most urgent — oh, hurry, hurry!" she implored, a sob choking her utterance.

"I'm coming," Burris answered. She heard the click of his receiver in the hook. At once there swept over her a feeling of relief and security, which was deluged immediately in the fear that Burris might come too late. Even now Kirk and his men might be on the road, their suspicions aroused by Reno's telephone call. If they had not gone, their horses would still be at the hitching-rack on the other side of the café; she would slip out and see. As she reached up to turn out the light, she heard Kirk's voice in the clubroom across the passage. He was still at the telephone trying to find out from the girl at central to whom Reno had talked.

Marion stood trembling, fearful that he would succeed, dreading to hear the telephone ring. If Burris would come, she could tell him in a word and then strike out on a short cut across the fields to her father's claim. For she did not

intend to trust one only to carry that pressing warning. One of two might succeed where one alone might fail. No matter for his willingness, Burris could not fly to her; at the best some minutes — the telephone rang.

The crash of a meteor on the roof could not have startled her more. She was terrified, even though she expected it. She was afraid of that thing on the wall, calling her with loud clamor. Her hand was still on the switch of the electric light; she turned it, tiptoeing in the dark toward the door. Behind her the telephone was commanding her to come back; in front of the building there was the clatter of fast-driven horses, the rumble of carriage wheels.

As she reached the door, a hack drew into the light of the electric lamp that swung at the corner. Burris leaped out before the vehicle stopped, motioning the driver on. Marion stood in the door to meet him, the light of the street lamp on her face. Burris came toward her with the questioning alertness of a physician who has been called by a frantic, incoherent mother.

"Why, Miss Marion! What's the matter, Miss Marion?" Burris said, his face as suddenly white as if all her own panic and pain had passed to him like a Brahman's sickness.

She drew him inside the door out of the glaring light and told him. The telephone stopped ringing before she finished; she believed Kirk had given up trying to get her, perhaps to mount and ride, his suspicions roused, on his business so treacherously base.

"Maybe we're too late — maybe they've gone!" she said.

"I saw some men at a table in the café as I drove up; I think they were Kirk's." Burris turned to the door as he spoke; she detained him by a touch on the arm.

"I'll cut across the fields ——"

"No, no, Miss Marion!" Burris spoke in sudden alarm,

his big fingers making captive the hand that lay in pleading touch upon his arm. She could not see his face in the gloom, but she could hear him breathe as if he had come at her summons on foot.

"One might fail, Mr. Burris."

"Stay here, turn the lights on, and do all you can to keep down Kirk's suspicion that you know. You can do more to help your father that way, Miss Marion, than by risking your life out there in the dark. I'm going to take one of their horses; I'll be back here with Captain Scott in less than an hour. Call the chief of police and tell him I said for him to meet me here on urgent business at—" Burris stepped to the door, flashed his watch in the light—"a quarter past ten."

Burris was gone with the last word. Big as he was, he left as silently as a shadow. When she hurried to the door to look after him, he had disappeared. She went back to the office, turned on the light, called the police station and left Burris' message for the chief. She was surprised to hear that prop of the grafters' combination receive it eagerly, and with the greatest possible respect.

As Marion hung up the receiver and gave the bell crank a twist to signal the operator that she was through, after the manner of that generation of telephones, she heard somebody enter the front door. She thought in dread that it must be Burris, coming back to tell her something had gone wrong, or that the desperadoes had left on their murderous mission. She leaned from where she stood before the telephone to look through the partition door.

The visitor was Bass Kirk. He had stopped, dubiously, just inside the threshold, and was standing with side presenting, looking about suspiciously. She drew out of sight quickly. In a moment Kirk came on toward the partition

door, across which the electric light still swung on its dangling wire from Marion's recent touch.

Scarcely breathing, her hair crinkling at the roots from the thrill of her nerves between fright and the mounting of desperate courage, Marion drew her revolver and stood waiting with it held elbow high. As Kirk stepped into the door, leaning forward a little in cautionary exploration, she presented the weapon at his eyes.

"Hold up — quick!" she ordered.

Kirk was so amazed and startled by this unexpected development in his explorations that he complied with her command on the instant. She stood so near him the muzzle of her revolver almost touched his temple, and there was a look in her eyes such as Kirk had seen in men's who shot to kill. He understood at once that she had been informed of his designs upon her father's life, and that this girl valued his own no more than the breaking of a thread.

Marion pressed her pistol against the marshal's temple as she took away his two revolvers. She could not reach to lay them on O'Brien's desk, but dropped them carefully on the floor, pushing them aside with her foot.

"Sit over there, and don't say one word!" she directed, indicating the chair at her own desk. When Kirk had obeyed, his hands still held high, she pushed his pistols under O'Brien's desk with her foot.

"You may put your hands down now, Mr. Kirk," she said. "But the minute you open your mouth, even to whisper, I'll kill you. I'm going to keep you here till my father comes if I have to hold you a corpse. Take off your belt and throw it over here."

It was lucky for Kirk, perhaps, that he was not a loquacious man. He did not appear at all inconvenienced by her interdiction on his tongue, but sat glooming with

the shadow of his big hat across his eyes. He knew that one yell would bring help to him, but there was a determination in the eyes of the girl who held the pistol down on him that told him it would come too late.

If time had gone racing for Marion but a little while before, it ran like a glacier now. She rested her pistol arm on the desk, for the weapon was no slight thing to hold, supporting her wrist with her free hand. Her thoughts ran over the road between there and her father's claim. Every gully, every little slope, every shrub that stood out in prominence and became a marker by the way, the wheel tracks wavering through the gray-red dust—she could see them all. Now Burris would be there, in that little swale where the grass was greener than on the crest; now there, at the last turning; and, presently, at the gate. Now her father would be saddling the brown mare with the sure speed that held as true in the blackest night as the brightest day. Now he would be mounting, and they would come riding to her, those two big men so well matched for some great deed.

And there they would find the tarantula under her hand. She would hold him, even though the muscles of her arm must set in that posture, never to move again.

What thoughts were surging through that dark man's brain, what plans for the hundred subtle tricks of which he was master, she could not read. That he watched her hand for the first break of weariness, the first faltering in her steady aim, she knew. Out of the shadow of his hat she could see his stealthy eyes keeping unbroken watch, ready to profit by the first relaxation or shift.

"I wonder where that fool feller went?" said a vexed, perplexed voice in the narrow passage outside O'Brien's window.

Kirk quickened at the sound, even as Marion started. He lifted his head until the light shone on his face. His brows were drawn; he gripped the arms of the chair as if he gathered his strength for a spring.

"Sit still; don't speak!" Marion whispered.

"He said it was all set for half-past nine," another voice complained. "If a man wants me to do anything I don't want him to go battin' around and forgittin' it."

"Reckon the blame fool's in that newspaper?"

"Maybe he is. We'll take a look."

Heavy feet moved along the passage, coming toward the front. Marion's heart began to pound with painful force. She could see the light of triumph gleam in Kirk's eyes, his heavy nostrils expand as he straightened himself almost imperceptibly in his chair. In a few seconds they would come — there, they were at the door!

By that time her father and Burris would be on the road; it might be as well to let Kirk go, with a laugh at his defeat. But would it be defeat until her father was safe in Victory, where he could find friends to stand by him and defy the marshal in his avowed intention to murder him in the name of the law? Kirk and his men would have time to go out and lie by the side of the road in the dark.

"It'll not do you any good, you coward! I'll get you first," she said, seeing the gleam in Kirk's eyes as he heard his men come in.

From the front neither Marion nor Kirk could be seen. One sat on each side of the open partition door, the dangling light head high between them. The men who were hunting their lost leader were in the front office stamping heavily, talking in low tones. Another came running through the passage. Marion heard him come in, cursing.

"My horse's gone!" he said.

They stood discussing that phase of the mystery a little while, then started back to investigate what lay beyond the partition. Marion saw by the little clock that stood on her desk in front of Kirk that it was five minutes past ten.

"If you move a hair!" Marion said, leaning a little to bring her weapon closer to Kirk's breast.

There was a new commotion at the front door. The men who were approaching the partition door stopped. Over the sudden silence Marion heard Burris' strong, commanding voice:

"Hold up! You're all under arrest!"

There were mutterings and curses from the trapped desperadoes. Marion expected them to resist, in the doubt of Burris' authority, for they knew no hand or word in Oklahoma other than Bass Kirk's. In her anxiety she strained a little toward the door to see.

Kirk leaped toward her, the muzzle of her weapon for a moment deflected in her shift of position. She sprang up with a scream, the stiffened muscles of her arm responding clumsily to her will to fire. Before she could press the trigger Kirk laid hold of her wrist and wrenched the pistol out of her hand.

Their short struggle took place directly in the partition door, and now as Marion turned she saw Burris a little way beyond her. Nearer the street door stood her father, his revolvers trained on the three men who stood with backs ranged against the wall, hands held high.

"Drop that gun, Kirk—you're a prisoner!" Burris cried.

Kirk flung the pistol toward Burris with a quick little jerk and fired. Marion sprang upon him with a choking cry, her arms clasped tightly around him, binding his own for a moment to his sides. It was done in a flash, quick as

the revelation of lightning. Kirk twisted, trying to free himself from Marion's arms, strong as a man's in her desperation. Unable to break their hold, he threw the revolver up and back with his pinioned arm, and fired at her face.

Marion felt the hot spurt of flame, the blast of smoke in her nostrils cutting off her breath, and through it she saw Burris rushing upon them, his own weapons flung aside. Marion felt the wind of his coming, and the floor rock under the struggle as he laid hold of Kirk's neck with his tremendous hands.

When she steadied her whirling senses and looked again, Kirk was lying on the floor outside the partition, his head bent limply over against his shoulder. His right hand, flung out beside him, opened and closed as if he grasped at something to stay himself from a fall.

Burris was stroking her burned cheek with his great hand, pleading with her in little endearments to put aside her fear, pressing her head, as if to soothe her pain, caressingly against his breast.

CHAPTER XXIII

SOMEBODY'S SON

MARION assured Burris that she was not hurt, and disengaged herself from his arms with face burning hotter than the fire from Kirk's shot had made it. Even in her confusion she excused the lawyer's arms, knowing that excitement renders men insensible to their strength. So, if he pressed her a little more ardently to his breast than concern for her slight injury from the footing of a friend might seem to warrant, she could not find one point for arraignment in her tumultuous heart.

The chief of police had come with two men at his back. They were relieving the desperadoes of their weapons; Captain Scott sheathed his own, and gathered his daughter in his arms. There she clung and cried, sobbing as if all had been lost, indeed, instead of saved so happily and in such timely way. Only a little while she indulged this tearful weakness, while the police marched the Texans off to jail. When she looked up presently, Reno was in the door.

Reno's eyes were as big and bright as Marion remembered them on the night that John O'Brien lay bleeding on the table. Behind her was the Mexican, Martinez, dodging and peering, too polite even in his excitement to forge ahead of his mistress. Burris was at the telephone, calling a doctor for Kirk.

Marion told her father how much they owed Reno on the fortunate outcome of the night's business. Captain Scott turned to thank the sooner girl where she stood near the

door, her worshipful Mexican at her heels. John O'Brien appeared in the door that moment, as gaunt as the dead, and as bloodless, his garments loose upon him.

Burris had finished telephoning, and was at that moment propping Kirk against the wall, where he sat jerking his shoulders as he caught his cut-off breath in short intakes, his head falling forward on his limp neck.

Martinez wheeled dramatically when he saw O'Brien, leveling a finger at him with scowling face.

"So, you will not die!" he said.

"No, but you'll hang, you little mud image!" O'Brien replied, coming forward weakly. His mouth was open; he drew his breath with noise.

"Look!" said Martinez, touching Reno's arm, pointing still with trembling finger at O'Brien.

Reno was standing very still and pale, her hands held out in appeal, her lips apart, her soul in her eyes. Perhaps she did not hear Martinez; she did not turn her eyes from O'Brien's face to heed his frantic appeal.

"Look!" cried Martinez again, "there is the man who has r-r-robbed you! R-r-robbed you!" he repeated, as Reno turned on him with more than denial in her face.

"Oh, shut up!" she said.

"You think you have a lot, but you have no lot. Long ago thees man has go before the *junta*, the com-itt-ee, and paid hees-a moaney. The lot ees in thees-a man's name; you have no lot—he have r-r-robbed you!"

"Is that right, Jack?" Reno demanded, her voice low in her throat, drawing back a step from O'Brien.

"Am I tell the trut'? Ask thees-a man, Señor Burris, who looks into thees-a bees-a-ness for me."

"It can be explained, all explained," O'Brien said, turning his pleading soft eyes upon Reno. He appeared so

pathetically serious with his twisted mouth and gaunt features, and melancholy eyes yearning at the door of her sympathetic soul, that perhaps a stronger one than Reno might have felt him incapable of such a base deceit.

"I will explained for you, I will explained!" said Martinez in dramatic threat. "Thees time I will a-keel you!"

Martinez drew a revolver as he spoke. Reno, quick as light, spun him round as he fired. Bass Kirk, leaning in the corner with Burris at his side, sagged over at the report, settled forward, fell again to the floor.

Captain Scott disarmed Martinez. O'Brien, staggering, ready to collapse, flung himself into Reno's ready arms.

Undertaker Noss appeared in the door, little better than half clad. He stood there with a peculiar expression, between anxiety to enter and desire to run, on his narrow face. His mustache was out of order, one wing of it pressed down over the corner of his mouth, as he had lain on it in his sleep and set the wax, the other pointing to his ear. The doctor was behind him, peering questioningly, his round eyes large.

"Is he hit?" Captain Scott inquired.

"Square in the forehead," Burris replied, standing with Kirk's big black hat in his hand. He covered the dead man's face with the hat and turned away.

"I'll get a stretcher and take him over," said Noss.

"Just as well," the doctor nodded, dropping the limp arm in which he had been feeling for a pulse-beat.

Noss lifted the hat from Kirk's face. "Why, it's the United States marshal!" he said.

"He was, up to two days ago," Burris replied.

The lawyer drew a yellow envelope from the inner pocket of his coat and handed it to Captain Scott, who was assisting Reno to settle O'Brien in a chair. Marion looked over

her father's shoulder. The telegram bore a Washington date of two days past. It was addressed to Burris, and read:

President today removed U. S. Marshal Kirk. On your recommendation Captain David Scott has been appointed to the vacancy, effective at once.

It was signed by a United States senator whose name was a household word, in all truth, in Missouri.

"Well!" said Captain Scott, looking up from the reading into Burris' flushed, embarrassed face. He read it again. "Well!" said he, and gave the lawyer his hand.

Mrs. Prater did not miss her patient until some time after his silent departure from the room. When she sought Marion to report it, the poor soul was doubly distracted to find that she was gone, also. She could see light in the *Bulletin* office from the house. She hurried thither, arriving in a high state of excitement at the moment Noss and his assistant bore the body of Bass Kirk through the door.

The light of the street lamp was full on the dead man's face as they passed Mrs. Prater. Marion saw her lift her hands as if to shut out the sight, and clasp them to her face with a groan like an old tree to whose heart the ax has struck the bitterness of death.

"She's fainted," said the doctor, who caught her as she reeled and fell. Marion and Reno hastened to his aid.

"Take her to my room," said Reno.

Burris and Captain Scott carried the unconscious woman to Reno's bed. The doctor administered a little stimulant with a spoon, at the taste of which Mrs. Prater opened her eyes. She sat up presently, Marion's arm at her shoulders in tender support.

"You can go now, men, if you'll be so kind, and leave me

alone with Marion," she said, her voice shaken and strange. "A woman knows what a woman needs better than anybody else, thank you kindly."

Reno went out with the men, closing the door after her. Marion was on her knees beside the low couch, her arm supporting the elder woman, her compassionate eyes lifted to the white, strained face. Mrs. Prater seemed to be looking at something far away. Her gaze was set; her eyes were great. She put out her hand, feeling here and there until it rested on Marion's hair.

"Honey, can you say the Lord's prayer?" she whispered.

Marion began the recital, Mrs. Prater speaking in low voice the words of it which memory had left with her. When they reached "Thy will be done," Mrs. Prater repeated the words; then she fell down upon her knees beside the cot, her head bowed in her hands.

So she remained a while, in silence. Marion stroked her soft white hair, kneeling beside her, wondering at that staunch old vessel's showing a weakness so unexpected. At length Mrs. Prater rose.

"I'm strong to bear now, as I have bore," she said.

"You've worked too hard; I shouldn't have let you do it—up at all hours with that ungrateful, unworthy man, nursing him back to life."

"No, it ain't that, I ain't done half as much since I've been here in town as I'm used to, honey." Mrs. Prater sat on the bed, drawing Marion down beside her. "How did it happen, Marion? Tell me all about it. I'm strong to bear now."

Marion recounted briefly the happenings of the night, Mrs. Prater nodding understandingly here and there as she proceeded. When Marion came to the point where Kirk

tried to kill her with her own revolver, Mrs. Prater groped out again, as if for something to support her.

"Let me hold your hand—there, that's the way," she said. "Bless your heart, I'm so shook I can't hardly see."

"I'll ask Reno to bring you some coffee; that will strengthen you."

"Never mind, never mind," said Mrs. Prater, speaking as if she consoled another for something lost or inaccessible. "You recollect me tellin' you about the man and his boy down in Arkansaw that got mixed up with them Bald Knobbers, honey?"

"Never mind that now."

"Yes, it's time to go back to it, and think of it and talk about it, honey love. It can't be put off no longer, or gone around no more. The man they hung down there that time was my man, honey, and the boy that swore his father's life away was mine. That was him them men was carryin' out when I come to the door."

"No, no!" cried Marion, horrified, starting up. "It can't be—that was Bass Kirk, the marshal."

"I ain't seen him before since the day he went away with that hell-fire in his heart, but that's Wesley Prater, my own born son; the ashes of his burnt-up soul is in his face."

"Oh, you must be mistaken, surely you must be mistaken!" Marion protested wildly, as though the shame reached out and tainted her.

"I wish to God I had made a mistake! I wish the Lord had seen fit to spare him a little while longer, till he could 'a' seen the evil of his ways and come home, moanin' and a cryin' and heartbroke, to lay his head down on his old mammy's breast and die! Oh, I wish to God I had made a

mistake! But I never. That's him; there never was another man near enough like him for me to be mistook."

"What shall we do — oh, what shall we do?"

Mrs. Prater shook her head, unable to answer the appeal. She got up and began walking the length of the room, hands clasped before her palm to palm, upraised in a little way of supplication, as if she prayed.

"I'll have to make plans for puttin' him away," she said, "for, bad as he was, he was my boy."

"I'll ask father to take care of him for you, right now." Marion started to the door.

"Wait a minute, honey; let me git ca'm before you tell 'em and lay bare my shame." She walked slowly back and forth now, pressing one hand with the other against her bosom, as if she fondled a child. "I was hard on him, honey, when I told you that story; them lawyers was mostly to blame for what he done. They led him into it; he didn't right know what he was doin'—leastways, I've said so to myself this many a year."

"I'm sure you thought right about it; I'm sure he couldn't have understood what they asked him to do."

"No, he never!" said Mrs. Prater, snatching at this solace eagerly. "Don't think too hard of him, honey," she pleaded, "for he's gone now; he's paid it all. He was only a strip of a boy when them lawyers got around him and led him on to what he done; he didn't understand, and they wouldn't let me see him and talk to him till after the trial, and show him his duty like I would. He's suffered for it—he's suffered a thousand deaths—I could see it stomped in his pore, pinin' face!"

So, in her great agony she pleaded for him, as she must have sought his Maker in his behalf in ten thousand heart-breaking prayers. Marion was profoundly moved by this

display of motherly affection, which could palliate and forgive such an unnatural deed. She could not feel sorry for Kirk, as she still thought of him, but her sympathy for this poor old suffering mother was so great it hurt like a sickness in her breast.

Mrs. Prater came and stood beside her, where she knelt at the bedside, sobbing in her sympathetic grief, and laid her hand on her young friend's head.

"He was my little boy, my only little boy!" she said. "Oh, I want to lift him up and hold him in my arms ag'in, and tell him, God and me, we've forgive what he done a long, long time ago! Oh, I don't blame nobody, I don't blame nobody! But he was my little boy!"

Marion choked down her sobs to speak comforting words, in such measure as words could be comforting in the culmination of that years'-long pain. After a time the strength that sustained Mrs. Prater upon her bitter way came back to her. She sat down calmly to wait while Marion went to her father with the dreadful revelation.

Captain Scott's surprise was too great to admit belief that Mrs. Prater had been certain in her identification of the slain man. He said she must be mistaken and misled by a remarkable resemblance. A man changed greatly in twenty-two or twenty-three years, he said. He went to Mrs. Prater with this argument, which he meant only for her own comfort, and in which he was entirely sincere.

"No, Captain Scott, they can't be no mistake," she insisted. "You look at the calf of his right leg for a big blue scar. He was shot there a long time ago — that time, you know, honey — and it made a terrible scar. Look and see if it ain't there, and come and let me know."

Captain Scott did as requested; the scar was there. When he took the word to Mrs. Prater she only nodded, slowly.

Captain Scott offered to take in hand the arrangements for the burial, for which she thanked him, in her strangely dignified way. When he went out, she turned to Marion.

"Honey, do you think he's gone to hell?" she asked.

"No; surely if a mother can forgive him, the Great Mercy will not be denied."

"God bless you for them words, honey!" Mrs. Prater said, out of the depths of her riven soul.

CHAPTER XXIV

LUCY LEE BRINGS HOME A MAN

WITH the passing of Bass Kirk, or Wesley Prater, claim-jumping and strife came to an end in the vicinity of Victory. Mrs. Prater laid her unworthy son away to rest, and purged his clay of its ignoble stain with her forgiving tears.

Captain Scott's commission had arrived from Washington; he had gone to Muskogee and been sworn in as United States marshal. Yet the *Bulletin* remained inactive. O'Brien had suffered a hemorrhage in his tender wound on the night of the tragedy in the newspaper office, which had carried him down to the penumbra of death. Since that night he had lain on Reno Johnson's bed, under the care of her gentle hand.

Lope de Vega Martinez, self-confessed assassin, had disappeared. Nobody was especially anxious to detain him or bring him to answer for having administered a mistaken, although not altogether unmerited, punishment upon the editor. Reno Johnson found upon investigation that Martinez had told the truth; she had no title to the land upon which her building stood. In the records of Victory her name was unknown. But that did not dim her affection for O'Brien or shake her confidence in his integrity. When he grew strong enough, and the doctor would allow him to talk again, he would explain.

Perhaps the most notable event in Victory immediately following the death of Bass Kirk, measured by the satis-

faction it carried to several homely, honest hearts, was the completion of Jim Timberlake's house. Jim had come into the way of several "gobs of money" through a period of great activity in the trucking business, and had set carpenters to work closing the gaps in his walls.

Fortune had been so liberal with Jim that he had leaped beyond his first intention and put in a floor. Now the family had two rooms, which was one more than contained in the most commodious house they ever had inhabited heretofore. Mrs. Timberlake was proud of this luxury, but bewildered in some measure, and confused.

"Hit was all right and natural till they put the petition in," she explained to Marion, who had been called over after supper to view the completed work. "When a body's used to havin' everything layin' right around to his hand, all in one place, hit's kind of rattlesome, but I reckon I'll git set to the new way in time."

"Yes, and you'll git set to more, old lady," Jim declared, with a large and comfortable surety in his words; "you'll git set to doin' your cookin' and eatin' in a room that ain't got a bed in it before I'm through with you."

"Oh, you git out! I like a bed around when I'm a cookin'; hit comes handy to lay things on and saves a lot of extra steps."

"I'm a goin' to put a floor in the loft and cut winders in the gable-ends," Jim confided to Marion. "We can put the kids off up there to roost."

Marion encouraged the plan. It was almost beyond belief to see how Jim had expanded and quickened in the past weeks. The beneficent contagion of that new land's prosperity and progress had warmed his old bones; the vigor of its youth was in his marrow. Jim had been laying in some new furniture. Conspicuous among his recent acquire-

ments was a yellow rocking-chair, which he now took up and carried into the yard before the front door with great ceremony.

"Come out where the air's a stirrin'," he invited Marion. "I'll fetch out the old gourd and tune her up and celebrate a little."

Mrs. Timberlake could not be induced to occupy the rocker. From her long habit of sitting beside camp fires through all her moving years she preferred to "hunker down on the ground." She hunkered; Jim stood his fiddle on his bony knee while he put it in tune.

It was that time between light and dark that the children, all over the world where the restful blessing of twilight falls, love best; the time when things a little way off, familiar and commonplace by day, become strange, mysterious shapes; when bats reel snapping on primitive wings, when tree toads raise their shrill chant, and the whippoorwill lifts its lonely voice in damp places where the trees have made it dark. Jim's children were playing witch, the girls running and screaming from the terrible ogre Budsey, who pursued them with rumblings, and dashed into dark places after them with growls.

"Captain Scott he ain't in town tonight, is he?" Jim inquired.

"No; he went to Kingfisher this morning," Marion replied.

"Puttin' in new deputies all over, makin' a clean sweep of them fellers, they tell me."

"Don't you think it was about time?"

"Take my word, it was! He's puttin' in them boomer fellers, they tell me, them men that hammered away with him for the openin' so long and didn't git nothin' out of it when it come, lots of 'em. Well, them men they know

how to shoot and when to shoot; they'll not be no crooked doin's in this country from this time on."

Jim did not wait for any comment on his views of it, probably not expecting anything in that way. He set the shoulder of his fiddle against his left breast, nearer his stomach than his heart, and began to play, singing the words of the melody as he sawed away, head to one side, foot flapping time:

*You may talk of Mary May,
And sing of Rosie Lee,
But the yaller rose of Texas
Beats the belles of Tennessee.*

Jim's repertory was inexhaustible. He played tune after tune as the night turned from gray to black and the stars drew near in their old-time friendliness. The children wearied of their play and went to bed; a cool little wind, like the spirit of growing corn, came roaming down the lanes of night. At length Jim broke the stream of his melody with a big, happy sigh; a sight of repletion, of satisfaction with the world and all that it brought to his door.

"Lucy Lee she'll be trackin' along d'rec'ly," Lizzie said.

"I hope she won't have that barber taggin' along with her this time." Jim spoke a bit out of humor. The thought of the barber had come like a discordant note into the harmony of his pleasant hour.

"Oh, he's a nice little feller, even if he is cross-eyed," said Lizzie, rallying to the defense of Lucy Lee's latest catch.

"Yes, and he comes around here dabbed over with stinkum-good till I can't hardly draw a breath till he leaves."

"Why, I thought she was hesitating between a fireman and a boss on the railroad," said Marion, greatly diverted by Lucy Lee's adventures of the heart.

"She was afraid to take the fireman 'count of so many wrecks," Lizzie explained. "Lucy Lee said she wanted her man to go out of this world like he come into hit, with all his hands and feet onto him and not scattered along the railroad track from Gitout to Go-by. I don't know as I blame her, neither."

"What was her objection to the steel-gang boss?"

"He drunk!" Lizzie whispered the defamatory information in scandalized breath.

"Ye-a-a, them railroaders!" Jim sighed for them, as for somebody lost. "I ain't never thought as well of 'em as I used to since that engineer shot that woman when she happened to walk onto his claim that he skinned out from hisingin and left standin' hitched up to a train to take."

"He paid for it," said Marion, reminiscently, recalling vividly this tragedy of the "early days."

"Yes, and that woman's livin' on that claim, well and hearty right now; I done some haulin' for her the other day. That engineer had nineteen bullets in him when Noss fetched him in. They sure did shoot around here in them days."

"Here comes Lucy Lee," Lizzie announced; "I could tell her giggle a mile up the road."

There was somebody with Lucy Lee; they stopped two rods or so distant from the group before the door.

"It ain't that barber; I don't smell no pre-fumery," said Jim. There was a note of curious interest in his voice; Lucy Lee's quick changes kept them guessing.

A little while Lucy Lee and her companion stood talking in low tones. Then Lucy Lee:

"Maw! Come here a minute, Maw."

"Well, what got into that young un?" Lizzie wondered, getting up with a cramped numb leg. She hobbled over to Lucy Lee and her companion, where more low-pitched conversation followed, broken by little explosive exclamations from Lizzie.

"Lands o' whillakers!" she said. "Well, fetch him over and show him to your paw."

Lizzie came on ahead of them, for the man in the party seemed a little bashful and reluctant, from all that Marion could gather. Lizzie gave them a few moments to debate the situation then, seeing that they still hung back, she said:

"Here, Paw, this Lucy Lee she's gone off and got married!"

"Ya-a-a, you little rascal!" There was a chuckle of admiration in Jim's voice as he got up to meet the groom, who was advancing slowly.

"Yes, but look who she's married to!" Lizzie said.

Marion heard the strings of Jim's fiddle sigh as he tucked it under his arm and leaned to pry the identity of the groom from the night.

"I wish you much—no, I'll be switched if I do!" Jim broke his speech of felicitation in two in the middle and spliced the unfriendly withdrawal upon it with hard emphasis.

"Oh, Paw, you orten't act——"

"Lucy Lee," Jim cut her off solemnly, "I'd ruther see you laid out on your coolin' board than married to that feller!"

"Now, Jim, it seems to me you're carrying your prejudice beyond the bounds of reason," said the groom, speaking for himself.

At his words Marion got up, somewhat startled and boundlessly surprised. For the voice that sounded out of the gloom where the bridegroom stood was the voice of Ed Courtney, the painter who made such a notable figure before the world at the top of a forty-foot ladder.

Marion recalled the threats of blood and destruction which had been made on both sides, Jim's side in particular; she recalled the rusty corn knife and the ambassador of peace. It seemed unlikely that Jim could reconcile himself to this union on such abrupt notice. Perhaps, now that he had his enemy in the family, Jim's courage would stand in the vessel, and he would undertake the chastisement that he had threatened so volubly and so long.

"Don't you never try to set a hoof inside of my door!" Jim warned.

"He can if he wants to!" said Lucy Lee.

"I'll never trouble you to come where I'm not wanted," Ed replied. "Come on, Lucy Lee; we'll go. I came here to reason, not to be insulted."

"You stay right where you're at, missy!" Jim ordered his daughter. "I'll have this weddin' busted up; I'll go to law in the mornin' and git a bill for you from that man. You ain't your own boss yit — not by three months!"

Lucy Lee began to cry. She started in a low key and ran upward, as if she meant to come to a climax in a cadenza that would startle the town. Lizzie enfolded her daughter's large form in her arms. The bride muffled her face, and the sounds issuing from the aperture of it, against her mother's shoulder, swaying from foot to foot like an elephant.

Marion saw the bridegroom moving about his distracted bride and her altar of refuge, indefinite of aim, but plainly, perturbed and torn by the sounds of grief which his lady

poured forth. Mrs. Timberlake patted Lucy Lee's broad back and exclaimed a good deal, uttering nothing that would commit her to the support of either side.

"You'd better be rackin' on off from here before I'm tempted to damage you," Jim advised.

"I've pledged my solemn honor never to raise a hand against you," Ed told him undiplomatically, as anybody who knew Jim would have warned.

"I'll lift a foot ag'in *you* if you don't streak it out of here and stay away! I'll split you down the back like a hog!"

Lucy Lee broke from her mother's arm at this threat, to which Jim gave terror by uttering it through set teeth and throwing a shake into his voice like a growl. The bride ran to her new husband, enfolding him in her protecting embrace. In the darkness her ample outline seemed to obscure and shield him entirely, well set as he was at the shoulders, broad as he flared at the waist.

"I don't know why you want to make so much of a little beginning," Ed complained, shaken neither by the threats of his father-in-law nor the consolations of his bride; "but you seem to me to be a blamed old leather-head!"

"He is. If you was to shake him he'd rattle like a dry gourd full of seeds," said Lizzie. She spoke good-naturedly, with no feeling in the case whatever, just as if stating a fact of well-established notoriety.

"I don't think you know what you're drivin' at, Jim," said Ed.

"He don't," Lizzie seconded.

"Don't I?" Jim savagely demanded. "Well, you shut your trap, old lady; I can do the fightin' for this fam'ly."

"And the talkin', too, I reckon," Lizzie allowed.

Lucy Lee, assured by this unexpected support from her

mother, grew quiet, the threatened cadenza smothered in her breast.

"I'm married to Lucy Lee, and I intend to stay married," said Ed. "You can't separate us; seas can't part us; continents can't divide us; icebergs can't chill our loving hearts. 'Until death do us part.' We said the words; they stand."

"That's the kind of talk I like to hear a man make!" Lizzie's commendation was warmly expressed. It was followed by an enveloping movement on the bride's part, which again interposed light dress-goods before Ed's dim and foggy form.

"We'll see about that—we'll see in the mornin'!"

"I've got a house to take my wife to, and it's paid for," Ed announced; "it's got furniture in it, and *that's* paid for; and there's flour in the barrel and bacon behind the door, and *that's* paid for! I've got as good a business, and as honorable a business, as any man in the trades in Victory, and I've got money in the bank. I came here to start out friendly and open on all matters with you, Jim; but if you don't like me, you can let me alone. Come on, Lucy Lee; we'll go home."

"Yes, you'll be drunk ag'in before tomorrow night," Jim declared in scoffing prophecy.

*We drink no more, nor buy nor sell,
Away, away the bowl!*

Ed laid off the quotation with a flourish; Marion saw the grand sweep of his arm as he lifted it against the sky.

"Seein's believin'," said Jim, a little mollified.

"I've taken my last drink," Ed declared. "Your daughter didn't marry a man to reform him; she reformed him first. I never was a very bad one, anyhow."

"Sure you wasn't," said Lizzie warmly. "Jim, I've seen your legs tangled so bad you couldn't 'a' walked down a corn row to save your neck, and I never said you'd fill no drunkard's grave."

"Ya-a-a, I have took my nip now and ag'in," Jim confessed, "but it's been ten year since a drop went inside of my teeth."

"I know hit has, and I glory in hit," Lizzie told him. "If you can do hit, so can Ed."

"When he can show me he's a man, let him come around."

It appeared that amicable relations were not to be established at once. Marion could see that the peg on which the matter hung was Jim's dignity, which he felt must be maintained in his own peculiar way after his many threats against the person of the painter. She believed her presence held Jim back from coming to a footing of immediate friendship with Lucy Lee's choice. She went forward, accordingly, and gave the pair her congratulations, and good night.

"I ask you to witness my good intentions, my friendly approach, miss," Ed appealed to her. "I'm a painter, Jim; you're a fiddler. But I'm not saying I'm a better painter than you are a fiddler; I haven't got any call to criticize you, and I don't see where you've got any call to criticize me. For anything I ever said in a moment of levity that may have reflected on your performance on the fiddle, I ask your pardon. No man can do more."

"That's right," Lizzie said.

"If you don't want to accept of my apology, I'll just go ahead paintin' in my style and you can go ahead fiddlin' in yours, and the world—" Ed swept his arm in illustrative circle, bringing it back to its resting place on Lucy Lee's waist—"the world can judge between us."

"He lays hit off like a lawyer, don't he?" said Lizzie, touching Marion's arm.

"I think he's very manly and straightforward about it," Marion replied. "I think Mr. Timberlake ought to meet him half way, at least."

"Let bygones be bygones, Jim," suggested Ed.

Lucy Lee gave a little indrawn, croupy sob. The strings of the fiddle under Jim's arm sighed again as he came forward. He kissed Lucy Lee in the loud manner of those who do not perform that ceremony frequently; he found Ed's hand and shook it, shook it till the fiddle strings laughed.

"I wish you much joy!" he said.

CHAPTER XXV

IT CLOSES WITH A KISS

RENO JOHNSON came to Marion's door next morning, a glow of excitement in her handsome face.

"May I come in, Marion?" she asked.

"Don't be silly, Reno," Marion chided, holding the door wide. She gave her hand to the sooner girl, drawing her inside, wondering what had come into her life to transform her so.

"I've never had a chance to thank you fully, Reno, for what you did for us that night," Marion said, holding the young woman's hands, looking into her eyes, out of which the shadow that had seemed to opaque their depths in the past was gone.

"Never mind that, Marion—tell me you're glad I'm married."

"Married? Well, I am glad, Reno—I can't tell you how glad!"

"There isn't any priest here, but we got a minister to come in and marry us yesterday evening. It was the first time Jack was able to sit up since he overdid himself the night Kirk was killed. Well, I've waited a long time for Jack to make good on that!"

Marion said nothing, having nothing in her thoughts that would fit in the way of further felicitation on this peculiar union. But her cheeks glowed with pleasure in Reno's happiness; her heart was flooding with the wish that it might continue the longer for being so slow in coming.

"You weren't ashamed to meet me in the street and talk to me, even before I was married," Reno said, nodding slowly. "That was because you must have felt in your good little heart that I wasn't such a very bad girl, even if I did sell booze."

"Of course you're not a bad girl!"

"Well, we've cut out the booze," said Reno, with a full, deep sigh of relief.

"I'm glad to hear that. Father has been holding off on going to see you about it several days."

"Because somebody asked him to; because *somebody* knew it was in me to be square and straight if I had a chance."

"Yes, I knew you'd do it, Reno."

"I never would have sold it if it hadn't been for Jack; he was behind it from the start, standing in with Kirk that way. But I didn't wait to ask Jack anything about it this time; I put the lid on the minute Bass Kirk and his gang went out of the door that night. I've changed the name of the place, too, Marion."

"You have?" Marion looked up quickly, a smile in her eyes.

"It's the Bulletin Restaurant now, tables for ladies. The new sign goes up this morning."

"That sounds better."

"And Pomeroy's fixed it up with Jack again about the printing, and everything. That's the main thing I came to talk to you about; Jack wants you to come back and run the paper for him — us — till he's well again."

"I think he'd better get somebody else," said Marion hastily. "Palmer, if he can be found; he's a better newspaper man than I am."

"Pomeroy got the land-office printing for the *Eagle Eye*.

it's going back to a weekly again," Reno explained. "It couldn't handle the city work, anyway—didn't have the facilities. Jack says there's nobody in town that he'll trust to go ahead with the paper but you; he told me to say he asked this as a favor of you. Won't you help us out, Marion?"

Marion considered what the *Bulletin* had suffered through her well-intended efforts at purification. On account of the wreckage which she had left behind her, she felt a certain sense of obligation to right the overturned craft. Besides, there was a new hand over the affairs of Oklahoma, she reflected with a glad leaping of the heart; under her father many of the injustices against which she had lifted her voice in vain must speedily come to their end. The *Bulletin* would have to square itself on another tack, no matter for Mayor Pomeroy and his ambitions. So she gave Reno her promise to take up the work at once, even to try and get a paper out that day if Charley Akers and another printer and one of the reporters could be found.

"Charley and three printers are there now," Reno reported, "and I've been holding the two reporters up for a week. They're all crazy to get back to work."

"But please tell Mr. O'Brien I'll step out as soon as he's able to take charge again," Marion said. "I'm a deputy United States marshal now; I'm going to attend to father's office business, and that will keep me pretty busy, I guess. But maybe I can handle it at night for a while."

Victory made the appearance of the *Bulletin* in its old face a personal matter. The editorial telephone was so busy receiving the congratulations of business men that Marion was obliged to detail one of the reporters to do nothing but answer it. A continual procession of the eminent tracked back to the little room where Marion sat in

rather glum state to receive their good wishes and pledges of support.

This rejoicing did not seem right to her. While the news of this hearty reception of the reborn paper doubtless would warm O'Brien's mercurial heart, she saw in it nothing but exultation in the tents of the wicked over the return of one who had tried to wander off and be good.

Marion took up her father's correspondence after most of the notables of the town had come, smiled, left copy for advertisements and departed, each having added his pebble in one way or another to the new foundation of the paper's success. In the front office the business manager was up to the chin in copy, making a growling, happy noise around his cigar.

Charley Akers was in the composing room, singing his one song for all occasions, that one concerning the three rogues who met difficulties because they could not do the job any better than himself. Luckily for Charley, times had changed since the "good old colony days."

The reporters were gone, their day's work being done. Marion had been moved by their appearance when they reported for work that morning. The corners of their coats hung down, as if the weight of their troubles had shifted from their shoulders and dripped out through their pockets. Their collars had become outlawed several days past; their whiskers were in a condition of aggravation.

With the resumption of publication, credit had offered its renovating possibilities to the pair. At noontime both men appeared in alpaca coats, fresh collars, clean faces. At evening they went forth laughing, the droop gone out of their shoulders. They were back in the world again, living its busy life, breathing its roast-beef aroma.

Yes, it was not only lonesome to be good, but unprofitable,

and hard on a good many innocents who depended upon such an institution as a newspaper here and there, Marion reflected. But she still remained unshaken in her conviction that it was right, no matter for its isolation, and that it would pay if one had the capital to hold out long enough.

There was the case of Reno Johnson. She had not been exactly good, perhaps, but she had gone only so far, and held out there. She had come to her reward at last. A woman's virtue was her capital in a case like that, and in a hundred thousand heartbreaking similar ones; but a newspaper had to have cash. As for Marion, the devil never had appeared and offered her a kingdom if she would join his merry train. From the outlook upon the placid promise of her life that hour, it was not likely that he ever would do that. But in the event of such unlooked-for temptation, she knew just what her answer would be. It was better to be good, even though lonesome, than sorry.

She began writing her father's letters on the caligraph, which was almost as big and noisy as a piano and printed all capitals. But it was a wonderful machine in its day, and one that Charley Akers viewed with a deep-seated aversion and a prophetic eye. She was in a resentful mood; it was displeasing to see the world kicking up its heels over the tacit admission of a newspaper that it was sorry for having made a mistaken stagger in the road of virtue.

Justin Burris had not come to offer his congratulations. Marion had not seen the lawyer since the night of Kirk's downfall, more than a week past. Vexed by his unaccountable aloofness after his one burst of tenderness in which his ingenuous heart had been revealed, yet ashamed, on account of her unjust accusations, to meet him, Marion wondered what press of business could have engulfed him so completely.

Perhaps he was afraid to come, she thought, aware of his rustic timidity which all his knowledge of men and their ways had not given him the philosophy to overcome. She smiled, pausing in her rapid and noisy operation of the letter-writing machine, her hands listlessly on the keyboard, her eyes fixed in a dream. He shouldn't be afraid; a man who had broken the ice with such bold approach shouldn't be afraid. She blushed to find herself giving him this telepathic encouragement, and her thoughts went running off after the veteran with the wooden leg, and the story he had told, like a butterfly wantoning among the flowers on a summer day.

She wondered if the veteran had found Burris, and whether the lawyer had accepted double payment for the horse. No, of course he wouldn't take a cent above what he paid for the animal, no matter what he had lost in giving it away there on the threshold of the town, no matter how much the old soldier had gained in the gift. Big as he was, rugged as his mighty frame, broad as his hands, strong as his arms—a warm surge of blood uprose in throat and cheeks at the recollection of their strength—that man needed somebody to guard his interests, or he would grow poorer as his means for spreading his charities increased. He needed somebody, even if nothing more than a good clerk.

On again with the letters, with a sudden clatter like hail on a tin roof. Her eyes were back on their business, her thoughts recalled from their roamings, all save a little slow-lingering, pleasant, vagrant troop of them which escaped from the tiny mental leak which she hadn't busy fingers enough to stop. The stack of letters and addressed envelopes beside her machine grew; the business manager put his cheerful face around the edge of the door and nodded, his

hat on ready to go; she nodded back to let him know she understood, her fingers raining letters on the page. The light began to fail at the window, her eyes ached in the strain of their long concentration, the little detachment of willful thoughts had wandered away and lost itself among the crags of business, where such frail fancies have no right to go. Marion started from her busy abstraction, like a mother whose little one has strayed, bending her faculties to bring it back.

Justin Burris was looking at her from the partition door, a smile in his gray eyes. Marion's tongue seemed such a small lever to move the bulk of her obligations to this man that she stood silent, in a confusion of warm blushes, capable of nothing more than the expression of her friendly attitude in her proffered hand.

In a moment Burris' great fingers enveloped it completely. But immense as the span of his thick palm, long as the reach of his mighty fingers, his touch was as gentle as if he caressed a flower. The smile deepened like a growing light in the lawyer's solemn eyes as he moved her arm up and down in grave cordiality, pausing in his undulations as if about to speak, but saying nothing; raising and lowering her arm again, looking into her face so earnestly and searchingly that she might have felt afraid but for his smiling eyes.

It was a queer meeting; neither of them had spoken a word. Now Marion withdrew her fingers from the lawyer's ardent clasp, and he let his breath go with a heavy suspiration as if his heart had been torn from his deep chest and carried away in her soft, short, useful hand.

"Well, well," said Burris, looking around at the walls and the ceiling as if he had come into a strange place, "so you're back in the ink up to your elbows, Miss

Marion, and the world's turning again for poor old John O'Brien."

"Yes, I'm back again for a little while, Mr. Burris."

"As soon as I saw the paper I knew you must be in charge," he said, still looking about the room in his curious manner of feeling himself in unusual surroundings. His heavy black hair fell on his forehead in disorder; his hat was dusty, as if he had come in from a country drive.

"Will you sit down?" Marion invited, indicating O'Brien's chair.

He looked at her, still standing before the caligraph as she had risen to greet him. She was clad simply in a white lawn dress with a little pink flower rambling through it, and her skirt was short, showing her pretty ankles and slender feet in their low-cut shoes. Burris' speech about the ink was only figurative, to be sure, for she was as fresh and fair as an evening primrose. Her red-brown hair swept in ripples from her serious, calm forehead, to end in the maelstrom of a great coil that nestled on her neck. She stood as if embarrassed, one hand on the keys of her machine, like a grateful amateur who has risen to acknowledge applause. Her head was bent, her face was thoughtful, for she was turning in her mind how to begin her confession to right the slander she had done him. Seeing him waiting, hand on the back of the proffered chair, she sat down, knowing his punctilious way.

Burris gathered up the tails of his long coat carefully and sat down, sighing as if the unequal burden of the world galled his back and made it sore.

"If I'm stealing time from you, Miss Marion, send me along," he said. "I've always had so much time on my hands since I entered the law practice that I can't get used to folks having work to do all the time."

"You've been busy enough since you came to Victory."

"Yes, right busy," said he, in abstraction, looking down at his thumbs, busy again in fitting his Gothic arch. Then, with a sudden lifting of the head, a quick look into her eyes: "I've been away in St. Louis; I got back only this morning, or I'd have been around to see you, and explain. I've got the evidence now to prove to your satisfaction, Miss Marion, that I came into this country regularly, like an honest man. I had to drive out into the country today and get a man's affidavit: I can even produce the man."

"If I could have seen you I could have saved you the trip," she told him, her gaze on the floor, her words soft and slow. "The man was here more than a week ago, the day he came in looking for you to pay you for the horse. Didn't he tell you he saw me?"

"No, Miss Marion, he didn't tell me."

"He came here the day everything went to smash, asking where to find you. But I knew, I knew—" hastily, her white face lifted, her hand put out in earnest pleading—"I wronged you, in what I said, the moment it was out of my mouth."

"Never mind, Miss Marion."

"It's been a thorn in my conscience since that day," she said, resolute to purge forth the uneasy stain. "It wasn't like something you say believing you're right, and feeling a pride in your charge until something happens to square you round; it was just a mean, miserable, sneaking feeling that made me want to hide like a thief."

"Don't blame yourself, Miss Marion; you were nearly right."

"I wasn't within a mile of it on either charge! I know very well, I knew very well—you never took a dollar from a grafter in your life."

"But I was almost a sooner, Miss Marion," Burris said earnestly, looking into her startled eyes; "I was a sooner before the fact."

"Before the fact? What—what kind of a sooner is that?"

"I mean that I intended to be a sooner, but didn't live up to my plans."

"I don't know just what you mean," she said, feeling hurt as if she suspected him of a jest at her expense. "I don't believe you!" brightening, her color coming back to her pale cheeks. "If you wanted to be a sooner, what was there to stop you?"

"The weak impeded me, Miss Marion; I found out I couldn't climb to a higher place on broken hearts. The Lord made me too soft for a man and too big for a woman."

"Tell me about it," she requested, knowing that the revelation would not be to his shame.

"My boyhood was stolen from me by hard taskmasters, I was bound to the wheel a long time," Burris began, speaking with slow retrospection. "The habit of fetters on my feet and will made my going slow, maybe, when I was free at last; I saw men with inferior capabilities pass me on the road every day. I starved at the law in competition with men who would break a heart to take a step forward with no more feeling than I would snap a twig that caught my sleeve as I passed."

Burris sat with his face turned toward the window, against the faltering light of which his features were sharp and clear. His unruly hair seemed wind-blown on his high forehead, his great brows shadowing his eyes. There was a sadness in his lips which spoke of suffering contained, but a strength to bear misfortune without murmuring, prosperity without excess.

Marion studied his features, presented thus like the profile of a bronze, so quietly he sat, and so severe, her heart tender for what he had borne. After a little pause Burris continued his narrative, relaxing from his stiff posture, facing her with a little softening of the features, a little gesture as in plea for tolerance, with his hand.

"I saw a chance in Oklahoma's opening," he said. "I left my little law practice up there in Missouri and put all I had in the world but two dollars into a horse and a little grub to keep me on the way."

"Two dollars?" she repeated, starting as if he had spoken some familiar name. "Yes, and I know where the two dollars went. Oh, you great big innocent! You a sooner, even before the fact! You're only telling me this to make it easier for me, Mr. Burris."

"Thank you for your good opinion, Miss Marion," said Burris, his homely face beaming, his great frame stiffening with a prickling of pride. "I didn't turn out to be a sooner; I made a fizzle of even that; I didn't get across the line until everybody else was gone."

Burris smiled, happily, over the recollection of this breakdown in the one dishonest intention of his life. Marion looked at him keenly through the twilight softness of the room.

"Who did you stop to help at the line?" she asked pointedly.

"Well, she had a weak wheel when she started," said Burris, as if he excused her failing ahead of his own, like the gentleman he was. "She was a poor, hard-rubbed creature who had shed her last tear twenty years ago, I guess, Miss Marion, and buried all of her family but one boy about twelve. That wheel caved in the day before the run, and I had to put it together for her the best way I

could. I used to work in a blacksmith-shop, Miss Marion; blacksmithing is my trade."

"You ennobled it if you only worked at it an hour," she said. Burris sat up a little straighter, if possible, than before.

"It was impossible to fix it without new spokes, and I couldn't beg or buy any in all that press of people along the line that night. So I turned back to a blacksmith-shop I remembered passing on the way, twenty miles or more along the Texas trail. I didn't get back till nine o'clock next day—the day of the opening. But I fixed her up so she rolled off before the last of them were out of sight," he said, satisfaction in the remembrance.

There were tears in Marion's eyes for his chance thrown away in charity. She only trusted herself to nod, indicating that he was to go on.

"If it hadn't been for that broken wheel I'd have slipped across the line that night," he said, "for I'd made up my mind to come to this country and use it, like Pomeroy and the rest of them have used it to their profit. I said I'd come here and grow so mighty in the ways that were known to me, but never tried, that the little grafters' knees would knock together when they passed; I said I'd stand with one foot on each side of this land and rock it like a man rocks a skiff; I was going to make it my nest, and stir it up like the old eagle in the Book. I laid myself out to do it, with the cold, steady intention of a crook. And I guess I might have done it, Miss Marion, if I'd ever been suffered by the Hand that's held me up in all the flood waters of my desolation and despair to sneak over the line that night. But the first obstacle I met in my way was a broken heart, and the next one was a heart that was strained to the breaking. So I knew the Hand was determined I should go on the

way I started, long ago, and held to through temptations and tribulations and hungry days. There's nothing to my credit, Miss Marion, that I'm not a sooner and a grafter along with the worst of them."

"You never had a serious intention of doing it in the beginning," she denied.

"I thought it was, Miss Marion."

"You couldn't *think* like a sooner, Mr. Burris." Marion was almost as indignant as if she had come to the defense of somebody not present, who had suffered libel at the lawyer's hands.

"I guess that was one reason why I failed. But you know you didn't slander me; the intention is almost as bad as the deed."

"You can't acquit me at your own expense, Mr. Burris. I can imagine a sooner handing a crippled soldier his last two dollars—after giving him his horse! Did that man pay you?"

"He paid me in full, Miss Marion."

"I was afraid you wouldn't take it," she said. "Well, I'm glad you got *that* money back. Is there any news in your trip to St. Louis?"

"Not in that, particularly; that was purely personal. I went up there to find a trustworthy lawyer I used to know, to see if he'd take over my legal business here."

"Your legal business? Why, you're not going to leave Oklahoma, are you?"

He looked up at the note of concern in her voice, his face lighting in that quick-passing smile which transformed him so entirely.

"No, Miss Marion. The path is beginning to broaden before my feet; it is leading into easier ways."

"They've been breaking the way for others a long time,"

she said tenderly. "I hope they're taking you home at last."

Burris rustled in his deep inside pocket among papers, bringing forth a letter. "Maybe it's too big for me, but it's offered unsolicited and unsought. I came to ask your advice on it, Miss Marion." Burris gave her the letter, reaching up and turning on the light for her to read.

"Federal judge for Oklahoma!" Marion looked up at him where he stood, the honest pride that he felt in this greatest hour of his life glowing in his homely face. "Why didn't you tell me, instead of wasting all that time talking about being a sooner and a crook?"

"Because this news was only incidental to what you thought of me, Miss Marion. I had to come into court with clean hands."

She looked at him reproachfully, bent again over the letter, reading it to the end.

"Too big!" she scoffed; "it's not half big enough! But I guess it's the biggest thing in Oklahoma right now. When are you going in?"

"I haven't accepted yet, Miss Marion."

"Well, you're going to."

"I don't know — perhaps not; that all depends on you, Miss Marion."

"On me, Mr. Burris?" Marion rose in her astonishment, and stood facing him, the dangling light between.

"On you," he repeated gravely. "'Vagabonds of chance,' John O'Brien used to call us down here in Oklahoma, but we're all that, Miss Marion, no matter where we're heading in the fogs of this life. The appeal of a pilgrim on the way is always strong to me; I'm bent too to often to help him without inquiring whether he's on his way to Jerusalem or Jericho."

"I know," she said, her head bent, her fingers smoothing the velvet riband on her breast.

"In spite of the law business that's come to me here, and it's been a great deal, I'm just about as poor as I was the day you picked me and my books up on the prairie. The unworthy have shared the products of my labor too often, I know; I'm afraid, indeed, Miss Marion, the Lord made me too soft for a man, too soft to sit in judgment over others, their blemishes, and defects."

"You're going to take it," said she in firm finality, as if she held, indeed, his destiny in her word.

"There is a condition in that," he told her, his grave eyes on her face, his mighty hand outstretched as if he meant to lay it on her head. A moment he poised it so, withdrawing it with a sigh.

"I'll not hear of conditions; you're going to telegraph the senator that you accept the appointment—right away."

"I'm afraid I might err too often in my judgment, too ready to believe a beguiling tale, unless I had somebody by me to make me strong."

"You could ask the district attorney," she suggested, her head bent, her fingers nervously plucking at the dark riband that hung below her brooch.

"I could have faith in the counsel of only one," said he, his voice trembling in tenderness, "one who has judged me with such kindly candor and unerring truth. Marion, don't you understand that I never can go into this high place without you? Its honor would be as savorless as dead grass to me if you were not there to share it."

He paused, his hand put out toward her in invitation to accept what he had not quite offered yet. Marion did not meet his eyes. She stood with bowed head, her heart run-

ning like an engine that has cast its governor, the trembling surge of it quivering the lace on her dainty bodice.

"I couldn't come to you before, I couldn't come to you with empty hands; but my heart has been with you since the first hour I found your soul in your eyes, my Marion. It's a great deal to ask you, for my heart is not the heart of a young man, running out after the vanities of youth any more. I can't offer you a mansion, but I can give you a home where the wind will never touch you, and if sorrow falls on us I'll bear for both of us, I'll warm you between my hands like a bird blown to me out of the storm."

Marion would have known by the sound on the inside of the composing-room partition that Charley Akers was putting on his hat and coat, his day's work done, if there had been a thought in her for anything or anybody but the pleading man before her. The composing-room door opened a little in the pause that Burris made, and closed again, quickly, like a guilty eye. Neither of them heard.

"I might never go any higher, Marion; I might never do anything to make you very proud, but you could walk by me to the end and never be ashamed."

She swept him one grateful glance, the tears in her eyes dimming his outline in her sight, a glad tenderness in her bosom for his great frankness, his ingenuous simplicity.

"A woman never would be ashamed for you or for herself if she trusted her life with you," she said.

"Then, Marion, are you—are we going to accept the place on the bench?"

Marion sat down before the caligraph without a word, without a look into his eager, hopeful face. A dash of the rattling type across a clean sheet of paper, and she was up again, her eyes bright, her cheeks glowing. She handed

him the bit of writing with one hand, reaching for her hat with the other.

"Come on; we'll go and file our acceptance at once, Judge Burris," said she.

Many minutes after their going, Charley Akers came from the composing room. He stood before Marion's desk, hat in his hand, his hair silvery in the light, turning his face this way and that, his feet silent on the floor as if he had entered a holy place. So he stood a little, looking about him with a wonderment in his kind old face, as a man stands when overwhelmed by some felicitous thing that has rushed into his heart and filled it. He reached up, after a time, to turn out the light; stayed his hand, looked about the room again, laid his hat down on Marion's chair, stooped over the keyboard of her caligraph and tenderly kissed the keys. A tear was twinkling in his soft gray beard when he reached up and turned out the light.

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